



TOWN OF KENTVILLE COUNCIL

January 29, 2024

AGENDA

6:00 p.m.

- 1. CALL MEETING TO ORDER AND ROLL CALL**
- 2. APPROVAL OF THE AGENDA**
- 3. APPROVAL OF THE MINUTES**
 - (a) Council meeting minutes, November 27, 2023
 - (b) Special Council meeting minutes, December 6, 2023
 - (c) Special Council meeting minutes, December 11, 2023
 - (d) Special Council meeting minutes, December 21, 2023
 - (e) Special Council meeting minutes, January 8, 2024
 - (f) Special Council Meeting minutes, January 22, 2024
- 4. BUSINESS ARISING FROM THE MINUTES / OLD BUSINESS**
 - (a) None.
- 5. RECOMMENDATIONS AND REPORTS**
 - (a) Council Advisory Committee – Councillor Paula Huntley
 - (1) Valley Waste Borrowing Resolution, \$17,800
 - (2) Valley Waste Borrowing Resolution, \$553,000
 - (3) Correspondence Best Practices
 - (4) Sustainable Communities Grant Application
 - (5) First Reading – Municipal Planning Strategy Amendment
 - (6) Climate Community Capacity Grant Application
 - (b) Councillors' and Mayor Reports
 - (1) Councillor Gerrard
 - a. Joint Fire Services Committee
 - b. Kentville Water Commission
 - c. Board of Police Commissioners
 - (2) Councillor Huntley
 - a. Kentville Water Commission
 - b. Kentville Source Water Protection Advisory Group
 - c. Kings Regional Emergency Management Organization
 - d. Valley Regional Enterprise Network, Liaison and Oversight Committee
 - (3) Councillor Maxwell
 - a. Annapolis Valley Trails Coalition
 - b. Kentville Inclusion and Accessibility Advisory Committee
 - c. Student Bursary Selection Committee

- d. Kentville Heritage Committee
 - e. Names List Committee
- (4) Deputy Mayor Savage
 - a. Audit Committee
 - b. Investment Advisory Committee
 - c. Kentville Business Community Board
 - d. Kings Regional Sewer
 - e. Kings Regional Emergency Management Organization
- (5) Councillor Yorke
 - a. Source Water Advisory Committee
 - b. Board of Police Commissioners
 - c. Multi Purpose Facility Feasibility Study Committee
 - d. Kentville Inclusion and Accessibility Advisory Committee
 - e. Annapolis Valley Regional Library
 - f. Names List Committee
- (6) Councillor Zebian
 - a. Joint Fire Services
 - b. Audit Committee
 - c. Kentville Water Commission
 - d. Kentville Heritage Committee
- (c) Mayor Sandra Snow
 - a. Intermunicipal Services Agreement Interim Board
 - b. Kentville Investment Advisory Committee
 - c. Audit Committee
 - d. Water Commission
 - e. Source Water Protection Advisory Committee

6. NEW BUSINESS

- (a) Heritage Committee Memo
- (b) Information Report – Freedom of Information Requests
- (c) Information Report – Deed Transfer Tax
- (d) Information Report – Reporting of Legal Services
- (e) Information Report – Cornwallis Street Sign
- (f) Intermunicipal Services Agreement Recommendation
 - a. Kings Transit Authority 2024-2025 Draft Budget
 - b. Valley Waste Regional Authority 2024-2025 Draft Budget
- (g) Appointment of Acting Development Officer

7. CORRESPONDENCE

- (a) Annapolis Valley Regional Libraries – Funding

8. PUBLIC COMMENTS

9. IN CAMERA

- (a) Land
- (b) Legal
- (c) Legal

10. ADJOURNMENT

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TOWN OF KENTVILLE COUNCIL MEETING

Meeting Minutes: November 27, 2023

Town Hall, 354 Main Street, Kentville Nova Scotia

This meeting was held in Town Hall and was livestreamed on YouTube.

1. CALL TO ORDER AND ROLL CALL

Mayor Sandra Snow called the meeting to order at 6:00 p.m. and that all members of Council were present: Mayor Sandra Snow, Councillor Craig Gerrard, Councillor Paula Huntley, Councillor Cathy Maxwell, Councillor Cate Savage and Councillor Gillian Yorke and Councillor Andrew Zebian.

Staff in attendance included Interim Chief Administrative Officer Rachel Bedingfield, Solicitor Geoff Muttart, and Recording Secretary Jennifer West.

Deputy Mayor Cate Savage was Chair of the meeting.

REGRETS

None.

DECLARATIONS OF CONFLICT OF INTEREST

None.

2. APPROVAL OF THE AGENDA

Addition: New Business, Council writing a letter to Federal Government

Addition: Audit Management Letter

It was moved by Councillor Gillian Yorke and Councillor Andrew Zebian

That Council add to the agenda Writing a Letter to the Federal Government

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

It was moved by Councillor Andrew Zebian and Councillor Cathy Maxwell

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That Council add to the agenda a Discussion of the Audit Management Letter.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Yorke and Zebian

Councillors who voted against this motion:

Snow

Discussion

- Concerns about the letter qualifying as an in-camera item on the agenda.

Approval of Agenda

It was moved by Councillor Andrew Zebian and Councillor Paula Huntley

That the agenda of November 27, 2023 be approved as amended.

MOTION CARRIED

3. APPROVAL OF THE MINUTES

(a) Council meeting held on October 30, 2023

On page 4. Point of Order, this should be removed from the minutes.

On page 3. regarding future conflicts, this should be removed as it was not the sentiment of all of Council

It was moved that the minutes of the Council meeting on October 30, 2023 be approved.

MOTION CARRIED

(b) Public Hearing held on October 30, 2023

It was moved that the minutes of the Public Hearing on October 30, 2023 be approved.

MOTION CARRIED

4. BUSINESS ARISING FROM THE MINUTES

(a) None.

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5. RECOMMENDATIONS AND REPORTS

(a) Council Advisory Committee Reports

(1) Recommendation for Forcemain Grant Application

At the November 14, 2023 meeting of Council Advisory Committee, Director Bell submitted his report outlining the need for a replacement of a forced main, the first of many infrastructure projects in the coming years.

Report available

It was moved by Councillor Craig Gerrard and Councillor Andrew Zebian

That Council support the joint application with the Village of New Minas and the applicant and asset owner, the Municipality of the County of Kings, for up to 50% funding through the Municipal Capital Growth Program for the replacement of the forcemains from the Justice Centre to end of the existing ductile iron pipes near Eaves Hollow.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

(2) Changing the Name of Cornwallis Street

At the November 14, 2023 meeting of Council Advisory Committee, CAO Bedingfield presented the policy which formalizes the name change from Cornwallis Street to Bridge Street, effective January 8, 2024.

Report available

It was moved by Councillor Gillian Yorke and Councillor Cathy Maxwell

That Council approve by policy that Cornwallis being a street located in the Town of Kentville, as shown in Schedule A, be renamed Bridge Street.

MOTION CARRIED

Councillors who voted in favour of this motion:

Huntley, Maxwell, Savage, Snow, Yorke and Zebian

Councillors who voted against this motion:

Gerrard

(3) Basic Income Guarantee

At the November 14, 2023 meeting of Council Advisory Committee, Becca LaPierre and Roger Tatlock gave a presentation about the importance of the federal government establishing a model of a Basic Income Guarantee

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for Canadians. They requested a letter from Council supporting a Basic income Guarantee in Nova Scotia.

Report available

It was moved by Councillor Gillian Yorke and Councillor Puala Huntley

That Council support the basic income guarantee.

MOTION CARRIED

Councillors who voted in favour of this motion:

Huntley, Maxwell, Savage, Snow, Yorke and Zebian

Councillors who voted against this motion:

Gerrard

(4) Council Meeting Dates, 2024

At the November 14, 2023 meeting of Council Advisory Committee, Mayor Sandra Snow introduced the proposed meeting dates for Council Advisory Committee and Council meetings in the 2024 calendar year, with working meetings on the second Monday of the month from January to May.

Report available

Discussion

- Direction to the CAO that members are given 72 hours notice for working meetings to be added to the schedule.

It was moved by Councillor Craig Gerrard and Councillor Andrew Zebian

That Council approve the proposed schedule.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

(5) Appointment of Returning Officer

At the November 14, 2023 meeting of Council Advisory Committee, CAO Rachel Bedingfield described the role of the Returning Officer and Assistant Returning Officer in the management of the 2024 Municipal Election.

Report available

It was moved by Councillor Craig Gerrard and Councillor Andrew Zebian

That Council appoint Al Kingsbury as the Returning Officer

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And further, Jeannette Stapleton as the Assistant Returning Officer for the 2024 municipal election.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

(6) Voting Method

At the November 14, 2023 meeting of Council Advisory Committee, CAO Rachel Bedingfield described the options available to Council in the manner of voting for the municipal election, and offered the options of a paper ballot system, online ballot system, or a combined ballot system. Council selected the hybrid method which will give residents options for voting online or at a voting station in town.

Report available

It was moved by Councillor Craig Gerrard and Councillor Paula Huntley

That Council establish online and paper voting ballots for the 2024 municipal election.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

(7) List of Electors

At the November 14, 2023 meeting of Council Advisory Committee, CAO Rachel Bedingfield outlined the process for requesting and receiving a copy of the voters list from the provincial government.

Report available

It was moved by Councillor Craig Gerrard and Councillor Paula Huntley

Staff recommend that Council permit the Returning Officer to obtain and update the list of electors from Elections Nova Scotia.

And

That the permanent register of electors, established and maintained by Elections Nova Scotia, be used as the basis for the preliminary list of electors for the Town of Kentville in the October 19, 2024, municipal election.

MOTION CARRIED

Councillors who voted in favour of this motion:

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Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

(8) Advance Poll

At the November 14, 2023 meeting of Council Advisory Committee, CAO Rachel Bedingfield described the advance poll method of voting, and proposed a date that is being used by neighbouring municipalities.

Report available

It was moved by Councillor Craig Gerrard and Councillor Andrew Zebian

Staff recommend that Council hold advance polls on October 10, 2024.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

(b) Councillors' and Mayor's Reports

Reports were received and are part of the meeting record.

(1) Councillor Craig Gerrard

Highlights included CAO interviews and Board of Police Commissioners meeting.

Report available for more information.

(2) Councillor Paula Huntley

Highlights included meetings of the Association of Municipal Administrators of Nova Scotia Accessibility coordinator, and the launch of a program that she created called the Tools for Trades program to support students.

Report available for more information.

(3) Councillor Cathy Maxwell

Highlights included public hearing for the rezoning of land on Prospect Avenue, Trails Coalition meeting, and a Kentville Plays event.

Report available for more information.

(4) Deputy Mayor Cate Savage

Highlights included investment committee meeting, regional sewer committee, Kentville Business Community meeting, CAO selection committee interviews and meetings, and the Pumpkin Walk.

Report available for more information.

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(5) Councillor Gillian Yorke

Highlights included Board of Police Commissioners meeting, presentation at the Nova Scotia Federation of Municipalities on policing, Nova Scotia Police Governance meeting, Annapolis Valley Regional Libraries meeting, and a ceremony for Police Long Service awards in Halifax.

Report available for more information.

(6) Councillor Andrew Zebian

Highlights included a meeting of the Heritage Committee, Kentville Business Community block party, Kentville tree lighting, and a supply drive for refugees.

Report available for more information.

(c) Mayor Sandra Snow

Mayor Snow reported on her activities this month with highlights including meeting at Soldiers Memorial, Nova Scotia Health Authority update, community crisis navigator presentation at the Nova Scotia Federation of Municipalities, and the board at the Nova Scotia Federation of Municipalities, Intermunicipal Service Agreement for Valley Waste and Kings Transit, webinar on fostering resilience in women municipal leaders, Kings County Academy Pumpkin Drop, Remembrance Day Ceremony, and Police Long Service Award to Chris Burke.

Report available for more information.

Update from the CAO on operational matters

The Executive continues to meet to ensure that staff have what they need to support their requests, and to fulfill requests from Council. There is no update from the province on the pallet community project.

6. NEW BUSINESS

(a) Mothers Against Drunk Driving Campaign

Councillor and Police Commission Chair Gillian Yorke outlined the 2023 MADD campaign to reduce impaired driving, and requested that Council support the campaign.

Report available

It was moved by Councillor Gillian Yorke and Councillor Craig Gerrard

That Council proclaim November 22, 2023 as Project Red Ribbon Day in the Town of Kentville.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

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(b) Code of Conduct: Mayor Sandra Snow Breach Report

Deputy Mayor Cate Savage asked for confirmation that an inappropriate word was said by Mayor Snow toward Councillor Andrew Zebian. This was confirmed.

Councillor Andrew Zebian read his statement explaining the context under which Mayor Snow called him an inappropriate word during a Council meeting.

During the reading of this statement:

- Mayor Snow called Point of Order on Councillor Zebian making a correction, according to Roberts Rules of Order, on his account of her apology at the last meeting.
- Mayor Snow called Point of Privilege on Councillor Andrew Zebian, indicating that the contents of his comments do not pertain to this breach.
- Mayor Snow called Point of Order on Councillor Andrew Zebian about Council calling for a sanction. Councillor Zebian reminded Council that Mayor Snow brought a sanction to Council for a ruling at an earlier date.

In response to his report and his request for an apology, Mayor Snow made a statement including an apology to Councillor Zebian about calling him an inappropriate word.

During her statement, Councillor Andrew Zebian called Point of Order against Mayor Snow, when she referred to an apology on November 14, 2023.

Report available

Discussion

- Mayor Sandra Snow is willing to include a written apology with the minutes for this meeting.

Mayor Sandra Snow called Point of Order on Councillor Cathy Maxwell regarding information that has already been resolved at this Council.

It was moved by Councillor Cathy Maxwell and Councillor Andrew Zebian

That the apology be put in written form in a letter from Mayor Sandra Snow to Councillor Andrew Zebian to bring closure to this issue and that the letter be placed in the minutes.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

(c) Letter to government

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Councillor Gillian Yorke read a statement to amplify calls for peace and a ceasefire in Gaza.

Discussion

- Joe Raffi, resident of Kentville, was invited to the podium to share his views on the need for a ceasefire in Gaza.

It was moved by Councillor Gillian Yorke and Councillor Paula Huntley

That Council write a letter to the Federal government to amplify calls that are being made from municipal governments and provincial governments across the Country for the release of hostages, the establishment of humanitarian pathways, diplomatic and political solutions to the crisis and a ceasefire in Palestine.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Yorke and Zebian

Councillors who voted against this motion:

Snow

Council took a recess from 8:00 to 8:15pm

(d) Audit Management Letter

Councillor Andrew Zebian described the creation and sharing of the audit management letter from the audit committee. Mayor Sandra Snow, Chair of the Audit Committee, described one part of the management letter around the liability of banked vacation pay and that it was being addressed by staff. It was agreed that the management letter shall be included with the audit report, unless it constitutes as a confidential document, for in-camera meetings only.

7. CORRESPONDENCE

a. None.

8. PUBLIC COMMENTS

a. Dennis Kehoe, Alicia Blvd

Concerns about the release of the management letter.

Mayor Sandra Snow called Point of Personal Privilege on Mr. Kehoe's suggestion that she was withholding information or lying.

b. Akmed, Wolfville Community

Appreciation to Council for passing the motion for writing the letter. He supports a ceasefire in Gaza.

c. Mark Rogers

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Appreciation to the community for coming out to support a ceasefire, and strongly supports Council writing a letter.

Concerns about transparency and choosing which items are brought to a closed session.

Concerns about bullying and avoiding words like petty and BS.

Concerns about some correspondence not being brought to the Council meeting agenda.

d. Frank Bezanson-Harris

Concerns about wanting a balanced perspective on the conflict, being educated and informed about the conflict, and the importance of using the term Ceasefire.

e. Issam Kadre, Kentville

Concerns about the conflict, and desire for a ceasefire.

f. Shaiya, Muslim Women's Community

Shaiya read a statement of a friend who is directly involved in the conflict. She support for a ceasefire and peace.

g. Hasne

Concerns about the conflict, and it's impacts on children.

h. Lubna

Appreciation for the motion and the letter, and to Council for the discussion tonight. She also read a letter from a friend, Joanna, who wasn't able to attend tonight's meeting.

i. Sahid Aconde

Concerns about the crisis in Gaza and the need for a ceasefire.

j. Shabada

Shared stories about children suffering in Gaza.

9. IN CAMERA

It was moved by Councillor Paula Huntley and Councillor Andrew Zebian

That Council move into a closed session at 9:48 pm to discuss two matters of personnel.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

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It was moved by Councillor Gillian Yorke and Councillor Andrew Yorke

That Council move back into open session at 10:24 pm

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

9. ADJOURNMENT

It was moved

That the November 27, 2023 meeting of Council adjourned at 10:24 p.m.

MOTION CARRIED

Approved by Interim CAO Rachel Bedingfield



Mayor
Sandra Snow
354 Main Street
Kentville, NS
B4N 1K6

902-679-2502
902-599-1317 (C)
ssnow@kentville.ca

November 28, 2023

RE: Apology to Councillor Zebian

Councillor Zebian,

Thank you for the opportunity to offer my sincere apology in writing after the meeting of November 27, 2023.

At the October 30 meeting of Council, I acted in an unprofessional manner which caused you to feel intimidated and devalued.

I take complete responsibility for my actions. I was wrong to express my frustration in the way I did during the meeting. I apologize for my comment.

I look forward to a renewed working relationship as offered by you last evening in the break room.

Kindest Regards

Sandra Snow, Mayor
Town of Kentville

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TOWN OF KENTVILLE SPECIAL COUNCIL MEETING

Meeting Minutes: December 6, 2023

Present: Mayor Sandra Snow, Deputy Mayor Cate Savage, Councillor Craig Gerrard, Councillor Paula Huntley, Councillor Cathy Maxwell, Councillor Gillian Yorke, and Councillor Andrew Zebian.

Present: CAO Rachel Bedingfield, CAO Recruitment Contractor Brian Smith, and Solicitor Muttart

1. CALL TO ORDER

The Special Meeting of Council was called to order at 6:02 pm. There was one agenda item – legal/personnel matter.

2. LEGAL/PERSONNEL MATTER

It was moved by Councillor Zebian and seconded by Councillor Huntley

That Council retire to the closed session at 6:03 p.m.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke, and Zebian

Direction was provided to CAO Recruitment Contractor Brian Smith in-camera.

A Special Meeting was called for Monday December 11, 2023, at 5:30pm to conclude the hiring of the CAO.

3. ADJOURNMENT

The Special Council Meeting adjourned at 7:40 pm.

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TOWN OF KENTVILLE SPECIAL COUNCIL MEETING

Meeting Minutes: December 11, 2023

Present: Mayor Sandra Snow, Deputy Mayor Cate Savage, Councillor Craig Gerrard, Councillor Paula Huntley, Councillor Cathy Maxwell, Councillor Gillian Yorke, and Councillor Andrew Zebian.

Present: CAO Rachel Bedingfield, CAO Recruitment Contractor Brian Smith, and Solicitor Muttart

1. CALL TO ORDER

The Special Meeting of Council was called to order at 5:32 pm. There was one agenda item – legal/personnel matter.

2. LEGAL/PERSONNEL MATTER

It was moved by Councillor Huntley and seconded by Deputy Mayor Savage

That Council retire to the closed session at 5:33 p.m.

MOTION CARRIED

Councillors who voted in favour of this motion: Gerrard, Huntley, Maxwell, Savage, Snow, Yorke, and Zebian

It was moved by Councillor Huntley and seconded by Deputy Mayor Savage

That Council appoint Jeffrey Lawrence as the Town of Kentville CAO in accordance with the terms presented in camera.

MOTION CARRIED

Councillors who voted in favour of this motion: Gerrard, Huntley, Maxwell, Savage, Snow, Yorke, and Zebian

3. ADJOURNMENT

The Special Council Meeting adjourned at 5:44 pm.

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TOWN OF KENTVILLE SPECIAL COUNCIL MEETING

Meeting Minutes: December 21, 2023

Present: Mayor Sandra Snow, Deputy Mayor Cate Savage, Councillor Craig Gerrard, Councillor Paula Huntley, Councillor Cathy Maxwell, Councillor Gillian Yorke, and Councillor Andrew Zebian.

Present: CAO Rachel Bedingfield, CAO Recruitment Contractor Brian Smith, and Solicitor Muttart

1. CALL TO ORDER

The Special Meeting of Council was called to order at 12:07 pm. There was one agenda item – legal/personnel matter.

It was moved by Councillor Paula Huntley and Deputy Mayor Cate Savage

That Council approve the agenda for the Special meeting of Council on December 21, 2023

2. LEGAL/PERSONNEL MATTER

It was moved by Councillor Paula Huntley and seconded by Councillor Andrew Zebian

That Council retire to a closed session at 12:09 p.m. to discuss legal and personnel matters.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

It was moved by Councillor Paula Huntley and Councillor Gillian Yorke

That Council return to open session at 12:20 p.m.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

It was moved by Councillor Paula Huntley and seconded by Deputy Mayor Cate Savage

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That Council appoint Louis Coutinho as the Town of Kentville Interim CAO in accordance with the terms presented in camera.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

Mayor Sandra Snow outlined a request from staff to raise a Mi'kmaq flag on the flagpole at the Kentville Recreation Centre from January 8 to January 10th.

It was moved by Councillor Paula Huntley and seconded by Councillor Cathy Maxwell

That Council approve the flying of the Mi'kmaq flag from the Town of Kentville flagpole, on January 8th and January 9th to be removed on the morning of January 10th

MOTION CARRIED

Councillors who voted in favour of this motion:

Huntley, Maxwell, Savage, Snow, Yorke and Zebian

Councillors who voted against this motion:

Gerrard

3. ADJOURNMENT

It was moved by Councillor Paula Huntley and Councillor Andrew Zebian

The Special Council Meeting adjourn at 12:28 pm.

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TOWN OF KENTVILLE SPECIAL COUNCIL MEETING

Meeting Minutes: January 8, 2024

Present: Mayor Sandra Snow, Deputy Mayor Cate Savage, Councillor Craig Gerrard, Councillor Paula Huntley, Councillor Cathy Maxwell, Councillor Gillian Yorke, and Councillor Andrew Zebian.

Present: CAO Louis Coutinho, Incoming CAO Jeff Lawrence, Recording Secretary Jennifer West and Solicitor Muttart

1. CALL TO ORDER at 9:23pm

It was moved

That Council approve the agenda for the Special meeting of Council on January 8, 2024.

It was moved by Councillor Andrew Zebian and Deputy Mayor Cate Savage

That Council amend CAO Jeff Lawrence's start Date from February 5 to January 29, 2024.

MOTION CARRIED

It was moved by Deputy Mayor Cate Savage and Councillor Andrew Zebian

That Council appoint Director Dave Bell as Acting CAO from 25 to 28 (inclusive).

MOTION CARRIED

It was moved

That Council return to open session at 9:25 p.m.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

2. ADJOURNMENT

It was moved

The Special Council Meeting adjourn at 9:25 pm.

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TOWN OF KENTVILLE SPECIAL COUNCIL MEETING

Meeting Minutes: January 22, 2024

Present: Mayor Sandra Snow, Deputy Mayor Cate Savage, Councillor Craig Gerrard, Councillor Paula Huntley, Councillor Cathy Maxwell, Councillor Gillian Yorke, and Councillor Andrew Zebian.

Present: Acting CAO Louis Coutinho, Recording Secretary Jennifer West and Solicitor Muttart

1. CALL TO ORDER at 4:00pm

It was moved

That Council approve the agenda for the Special meeting of Council on January 22, 2024.

Kentville Crossing Initiation Request

Mayor Sandra Snow opened the meeting and CAO Louis Coutinho gave a summary of the project. The request is for Council, upon approval at each step, to use an agreed upon timeline for the development process.

Presentation and Request from the Developer

Chrystal Fuller, with Brighter Communities, representing the developer Brison Developments, gave a presentation about the timeline. An initiation report is a plan amendment and rezoning application, and approval of the timeline would show an open by Council to hear more about the project.

The goal for this site is to rezone the parcel to be residential. Brison Development, Design Point and Brighter Communities have put a lot of thought into this project already.

Developer Mitch Brison spoke about his past developments, and the proposed projects.

Presentation available

Consulting Planner Caroline Robertson from C+D Community Design gave some feedback on this project. The proposed development will require an amendment of the MPS and an amendment to the LUB. She described the importance of development, but also public feedback and a vision for the town. She suggested that the development may require a stormwater management plan, a traffic study, landscape design and active

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transportation considerations. If Council decides to use this timeline, her team would be able to support the work.

Director Dave Bell described the wellfield for the town and the impending addition of an eighth well.

Council was asked to permit the proposal to move forward in an expedited manner (revised version).

Discussion:

The timeline for full construction will be related to market factors. The regional sewer system does have capacity for more units. The regional availability of industrial land should also be considered in future phases of consideration of this project. The timeline was created with consideration of the budget discussions this winter and spring.

It was moved by Councillor Andrew Zebian and Deputy Mayor Cate Savage

That Council support the expedited planning process and compressed timeline as presented in the attached document. The amendment process will not be compromised by the change in the timeline and is supported by Staff at revised.

Motion Carried

Members who voted in favor of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke, and Zebian

2. ADJOURNMENT

It was moved

The Special Council Meeting adjourn at 5:10 pm.



COUNCIL ADVISORY COMMITTEE

Recommendation to Council

Valley Waste Guarantee Resolution, \$17,800

At the December 11, 2023 meeting of Council Advisory Committee, Director Wanda Matthews presented the two borrowing resolutions which require a guarantee from municipal partners, in the amounts of \$17,800 and \$57,125, which are the town's shares.

Council Advisory Committee recommends

That Council approve the attached Temporary Borrowing Resolution in the amount of \$174,000, the Town of Kentville 10.23% share is \$17,800 of the Valley Regional Solid Waste Resource Management Authority Partnership.

January 29, 2024

This recommendation is based on discussion and or reports which are attached.

Memo

To: Rachel Bedingfield, Interim CAO

From: Wanda Matthews, Director of Finance

Date: December 8, 2023

Re: **Valley Region Solid Waste-Resource Management Authority- Guarantee Resolution**

The Valley Region Solid Waste-Resource Management Authority (Valley Waste) has approved two (2) borrowing resolutions that require a guarantee resolution from each of its Municipal Partners.

The Valley Waste temporary borrowing resolutions (TBR) are in the amounts of \$174,000 and \$553,000 dated January 18, 2023 and July 19, 2023 respectively. The town's share amounts to \$17,800 and \$57,125.

Upon receipt of responses from all municipal partners, Valley Waste forwards the TBRs to the Department of Municipal Affairs and Housing for Ministerial approval.

RECOMMENDATION

It is recommended that Council authorize the attached guarantee resolutions related to the 2022/2023 and 2023/2024 fiscal years.

Resolution Summary

	PURPOSE	Guarantee Amount	Percentage
Guarantee Resolution 22-23	Equipment	\$174,000	10.23%
Guarantee Resolution 23-24	Equipment Building and Site	\$553,000	10.33%

**VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY
MUNICIPAL PARTNER GUARANTEE RESOLUTION
COUNCIL OF**

Guarantee Share Amount: \$ _____ Purpose: _____

WHEREAS the Valley Region Solid Waste-Resource Management Authority (hereinafter referred to as the Authority) was incorporated on October 1, 2001 pursuant to Section 60 of the Municipal Government Act;

WHEREAS the Authority has determined to borrow the aggregate principal amount of _____ Dollars (\$) for purpose of _____;

WHEREAS the Authority has requested the Council of the _____, a municipality that executed the instrument of incorporation of the Authority, to guarantee said borrowing; and,

WHEREAS pursuant to Section 88 of the Municipal Government Act, no guarantee of a borrowing by a municipality shall have effect unless the Minister of Municipal Affairs and Housing has approved of the proposed borrowing or debenture and of the proposed guarantee;

BE IT THEREFORE RESOLVED

THAT the Council of the _____ does hereby approve the borrowing of the aggregate principal amount of _____ Dollars (\$) for the purpose set out above;

THAT subject to the approval of the Minister of Municipal Affairs and Housing of the borrowing by the Authority and the approval of the Minister of Municipal Affairs Housing of the guarantee, the Council unconditionally guarantee repayment of _____ Dollars (\$) for the purpose set out above; and

THAT upon the issue of the debentures, the Mayor and Chief Administrative Officer of the Municipality do sign the guarantee attached to each of the debentures and affix thereto the corporate seal of the Municipality.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the _____ held on the _____ day of _____, 2023.

GIVEN under the hands of the Clerk and under the seal of the Municipality this _____ day of _____, 2023.

Clerk

VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY

TEMPORARY BORROWING RESOLUTION

Amount: \$ 174,000

Capital Projects: Detailed in Schedule "B"
Debenture, Spring 2023

**SCHEDULE "B"
CAPITAL PROJECTS**

		Estimates \$
Heading: Capital		
Item	4X4 Pick-up Truck and Plow	55,000
Item	WMC - Automated Scale House Window	19,000
Item	Utility Trailer	15,000
Item	Scale Software	85,000
Heading Sub Total:		174,000
Heading:		
Item		
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Heading Sub Total:		0
TOTAL REQUEST CONTAINED WITHIN THIS RESOLUTION		174,000

**VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY
MUNICIPAL PARTNER GUARANTEE RESOLUTION
COUNCIL OF
Town of Kentville**

Guarantee Share Amount: \$ 57,125.00 Purpose: Capital Projects: Detailed in Schedule "B"
Capital Budget 2023-2024

WHEREAS the Valley Region Solid Waste-Resource Management Authority (hereinafter referred to as the Authority) was incorporated on October 1, 2001 pursuant to Section 60 of the Municipal Government Act;

WHEREAS the Authority has determined to borrow the aggregate principal amount of Five Hundred Fifty Three Thousand Dollars (\$ 553,000.00) for purpose of Capital Projects: Detailed in Schedule "B" ;

WHEREAS the Authority has requested the Council of the Town of Kentville , a municipality that executed the instrument of incorporation of the Authority, to guarantee said borrowing; and,

WHEREAS pursuant to Section 88 of the Municipal Government Act, no guarantee of a borrowing by a municipality shall have effect unless the Minister of Municipal Affairs and Housing has approved of the proposed borrowing or debenture and of the proposed guarantee;

BE IT THEREFORE RESOLVED

THAT the Council of the Town of Kentville does hereby approve the borrowing of the aggregate principal amount of Five Hundred Fifty Three Thousand Dollars (\$ 553,000.00) for the purpose set out above;

THAT subject to the approval of the Minister of Municipal Affairs and Housing of the borrowing by the Authority and the approval of the Minister of Municipal Affairs Housing of the guarantee, the Council unconditionally guarantee repayment of

Fifty Seven Thousand One Hundred Twenty Five Dollars (\$ 57,125.00) for the purpose set out above; and

THAT upon the issue of the debentures, the Mayor and Chief Administrative Officer of the Municipality do sign the guarantee attached to each of the debentures and affix thereto the corporate seal of the Municipality.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the Town of Kentville held on the ____ day of _____, 2023.

GIVEN under the hands of the Clerk and under the seal of the Municipality this ____ day of _____, 2023.

Clerk

VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY

TEMPORARY BORROWING RESOLUTION

Amount: \$553,000

Capital Projects: Detailed in Schedule "B"
Capital Budget 2023-2024

SCHEDULE "B" CAPITAL PROJECTS

		Estimates \$
Heading: Equipment		
Item	XL 4X4 Pick-Up Truck Lift Gate - Carts	53,000
Item		
Item		
Item		
Heading Sub Total:		53,000
Heading: Building and Site		
Item	Containers for Drop Off	330,000
Item	EMC/WMC C&D site monitoring wells	55,000
Item	Heating Ventilation Upgrade	115,000
Item		
Heading Sub Total:		500,000
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Heading Sub Total:		0
TOTAL REQUEST CONTAINED WITHIN THIS RESOLUTION		553,000

VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY

TEMPORARY BORROWING RESOLUTION

Amount: \$ 553,000

Capital Projects: Detailed in Schedule "B"
Capital Budget 2023-2024

SCHEDULE "A"

MUNICIPAL GUARANTEES

MUNICIPAL PARTNER	GUARANTEE PERCENTAGE	GUARANTEE AMOUNT
Municipality of the County of Kings	73.4%	405,902
Town of Kentville	10.33%	57,125
Town of Wolfville	9.85%	54,471
Town of Berwick	3.08%	17,032
Town of Middleton	2.03%	11,226
Town of Annapolis Royal	1.31%	7,244
Total Capital Requirements for Borrowing Resolution	100%	553,000

JA



COUNCIL ADVISORY COMMITTEE

Recommendation to Council

Valley Waste Guarantee Resolution, \$57,125

At the December 11, 2023 meeting of Council Advisory Committee, Director Wanda Matthews presented the two borrowing resolutions which require a guarantee from municipal partners, in the amounts of \$17,800 and \$57,125, which are the town's shares.

Council Advisory Committee recommends

That Council approve the attached Temporary Borrowing Resolution in the amount of \$553,000, the Town of Kentville 10.33% share is \$57,125 of the Valley Regional Solid Waste Resource Management Authority Partnership.

January 29, 2024

This recommendation is based on discussion and or reports which are attached.

Memo

To: Rachel Bedingfield, Interim CAO

From: Wanda Matthews, Director of Finance

Date: December 8, 2023

Re: **Valley Region Solid Waste-Resource Management Authority- Guarantee Resolution**

The Valley Region Solid Waste-Resource Management Authority (Valley Waste) has approved two (2) borrowing resolutions that require a guarantee resolution from each of its Municipal Partners.

The Valley Waste temporary borrowing resolutions (TBR) are in the amounts of \$174,000 and \$553,000 dated January 18, 2023 and July 19, 2023 respectively. The town's share amounts to \$17,800 and \$57,125.

Upon receipt of responses from all municipal partners, Valley Waste forwards the TBRs to the Department of Municipal Affairs and Housing for Ministerial approval.

RECOMMENDATION

It is recommended that Council authorize the attached guarantee resolutions related to the 2022/2023 and 2023/2024 fiscal years.

Resolution Summary

	PURPOSE	Guarantee Amount	Percentage
Guarantee Resolution 22-23	Equipment	\$174,000	10.23%
Guarantee Resolution 23-24	Equipment Building and Site	\$553,000	10.33%

**VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY
MUNICIPAL PARTNER GUARANTEE RESOLUTION
COUNCIL OF**

Guarantee Share Amount: \$ _____ Purpose: _____

WHEREAS the Valley Region Solid Waste-Resource Management Authority (hereinafter referred to as the Authority) was incorporated on October 1, 2001 pursuant to Section 60 of the Municipal Government Act;

WHEREAS the Authority has determined to borrow the aggregate principal amount of _____ Dollars (\$ _____) for purpose of _____;

WHEREAS the Authority has requested the Council of the _____, a municipality that executed the instrument of incorporation of the Authority, to guarantee said borrowing; and,

WHEREAS pursuant to Section 88 of the Municipal Government Act, no guarantee of a borrowing by a municipality shall have effect unless the Minister of Municipal Affairs and Housing has approved of the proposed borrowing or debenture and of the proposed guarantee;

BE IT THEREFORE RESOLVED

THAT the Council of the _____ does hereby approve the borrowing of the aggregate principal amount of _____ Dollars (\$ _____) for the purpose set out above;

THAT subject to the approval of the Minister of Municipal Affairs and Housing of the borrowing by the Authority and the approval of the Minister of Municipal Affairs Housing of the guarantee, the Council unconditionally guarantee repayment of

_____ Dollars (\$ _____) for the purpose set out above; and

THAT upon the issue of the debentures, the Mayor and Chief Administrative Officer of the Municipality do sign the guarantee attached to each of the debentures and affix thereto the corporate seal of the Municipality.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the _____ held on the _____ day of _____, 2023.

GIVEN under the hands of the Clerk and under the seal of the Municipality this _____ day of _____, 2023.

Clerk

VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY

TEMPORARY BORROWING RESOLUTION

Amount: \$ 174,000

Capital Projects: Detailed in Schedule "B"
Debenture, Spring 2023

**SCHEDULE "B"
CAPITAL PROJECTS**

		Estimates \$
Heading: Capital		
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TOTAL REQUEST CONTAINED WITHIN THIS RESOLUTION		174,000

**VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY
MUNICIPAL PARTNER GUARANTEE RESOLUTION
COUNCIL OF
Town of Kentville**

Guarantee Share Amount: \$ 57,125.00 Purpose: Capital Projects: Detailed in Schedule "B"
Capital Budget 2023-2024

WHEREAS the Valley Region Solid Waste-Resource Management Authority (hereinafter referred to as the Authority) was incorporated on October 1, 2001 pursuant to Section 60 of the Municipal Government Act;

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WHEREAS the Authority has requested the Council of the Town of Kentville , a municipality that executed the instrument of incorporation of the Authority, to guarantee said borrowing; and,

WHEREAS pursuant to Section 88 of the Municipal Government Act, no guarantee of a borrowing by a municipality shall have effect unless the Minister of Municipal Affairs and Housing has approved of the proposed borrowing or debenture and of the proposed guarantee;

BE IT THEREFORE RESOLVED

THAT the Council of the Town of Kentville does hereby approve the borrowing of the aggregate principal amount of Five Hundred Fifty Three Thousand Dollars (\$ 553,000.00) for the purpose set out above;

THAT subject to the approval of the Minister of Municipal Affairs and Housing of the borrowing by the Authority and the approval of the Minister of Municipal Affairs Housing of the guarantee, the Council unconditionally guarantee repayment of

Fifty Seven Thousand One Hundred Twenty Five Dollars (\$ 57,125.00) for the purpose set out above; and

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GIVEN under the hands of the Clerk and under the seal of the Municipality this ____ day of _____, 2023.

Clerk

VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY

TEMPORARY BORROWING RESOLUTION

Amount: \$553,000

Capital Projects: Detailed in Schedule "B"
Capital Budget 2023-2024

SCHEDULE "B" CAPITAL PROJECTS

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Heading Sub Total:		53,000
Heading: Building and Site		
Item	Containers for Drop Off	330,000
Item	EMC/WMC C&D site monitoring wells	55,000
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TOTAL REQUEST CONTAINED WITHIN THIS RESOLUTION		553,000

VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY

TEMPORARY BORROWING RESOLUTION

Amount: \$ 553,000

Capital Projects: Detailed in Schedule "B"
Capital Budget 2023-2024

SCHEDULE "A"

MUNICIPAL GUARANTEES

MUNICIPAL PARTNER	GUARANTEE PERCENTAGE	GUARANTEE AMOUNT
Municipality of the County of Kings	73.4%	405,902
Town of Kentville	10.33%	57,125
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Town of Berwick	3.08%	17,032
Town of Middleton	2.03%	11,226
Town of Annapolis Royal	1.31%	7,244
Total Capital Requirements for Borrowing Resolution	100%	553,000

JA



COUNCIL ADVISORY COMMITTEE

Recommendation to Council

Correspondence Best Practices

At the December 11, 2023 meeting of Council Advisory Committee, CAO Bedingfield reviewed the existing policy guiding correspondence submitted to Council, and added best practices that will be followed until the Council Meeting Policy is reviewed in its entirety. The Mayor will share all emails/letters sent to mayorandcouncil@kentville.ca with the Deputy Clerk to add them to the meeting package. Correspondence must be addressed to all of Council and not just the Mayor or a single Councillor.

Council Advisory Committee recommends

That Council adopt these correspondence best practices, with amendments discussed.

January 29, 2024

This recommendation is based on discussion and or reports which are attached.



Chief Administrative Officer
Rachel Bedingfield
354 Main Street
Kentville, NS
B4N 1K6

902-679-2501
cao@kentville.ca

December 11, 2023

RE: Correspondence to Council

Staff have been tasked with reviewing the existing policies for correspondence to Council, and how correspondence is presented and discussed at Council and CAC meetings.

Staff acknowledge that Policy Statement G64 Public Engagement and Participation section 4.a states “Written correspondence (if signed by the author) will be included on a Council agenda and will be considered during Council discussion and debate, if applicable”.

Following this policy, letters and emails to Council, which do not include offensive, derogatory or defamatory matter or language, if delivered to the Deputy Clerk, prior to the release of the meeting package to Council, will be included on the meeting agenda under “Correspondence”. The Chair will acknowledge receipt of all correspondence and the full submission shall be read following a motion of Council. This policy does not apply to public hearings or other planning processes.

Staff recommends that Council adopt these correspondence best practices until a full review of Policy Statement G70 Council Meetings.

Rachel Bedingfield
Interim Chief Administrative Officer
Town of Kentville



COUNCIL ADVISORY COMMITTEE

Recommendation to Council

Sustainable Communities Challenge Grant Application

At the December 11, 2023 meeting of Council Advisory Committee, CAO Bedingfield outlined the grant application that will see residents learn more and implement natural stormwater management practices over a two-year period.

Council Advisory Committee recommends

That Council approve the Sustainable Communities Challenge grant application in support of a two-year project “Climate Resilience Initiative: Natural Stormwater Management”

And further that Council support the cost of the project at \$156,450 with \$124,000 coming from the SCC grant

January 29, 2024

This recommendation is based on discussion and or reports which are attached.



Chief Administrative Officer
Rachel Bedingfield
354 Main Street
Kentville, NS
B4N 1K6

902-679-2501
cao@kentville.ca

December 11, 2023

RE: Sustainable Communities Challenge Grant Application

Staff have completed an application for the Sustainable Communities Challenge grant- a provincial grant program for local action on climate change in Nova Scotia. It supports community efforts to reduce or remove greenhouse gas emissions, or to prepare for and respond to the impacts of a changing climate.

The Town of Kentville has made an application for a project called “Climate Resiliency Initiative: Natural Stormwater Management” – a two-year project that would see staff offer a series of community education seminars on localized green infrastructure and stormwater management best practices on private properties. Staff would also work in collaboration with a natural infrastructure expert to build a stormwater management demonstration site that showcase natural stormwater management methods. Finally, the project will also help residents by offering property assessments and advice, and supplying stormwater management tools such as rain barrels, soil, gravel, and equipment to homeowners to promote stormwater management on private properties.

The total project cost is \$156,450 with \$124,000 coming from the grant and the Town’s share being \$29,450. The project would begin in April 2024.

If approved, staff will need to show Councils approval of this project to receive the funds for the 2024-2025 and 2025-2026 fiscal years. To be eligible for funding, initiatives must show they are a community priority, which can be demonstrated through a letter or motion from Council.

Staff recommend that Council support the application to the Sustainable Communities Challenge grant for stormwater management and climate resiliency initiatives in the Town of Kentville.

Rachel Bedingfield
Interim Chief Administrative Officer
Town of Kentville



COUNCIL ADVISORY COMMITTEE

Recommendation to Council

Municipal Planning Strategy Amendment

At the September 11, 2023 meeting of Council Advisory Committee, staff working with the planning department presented some minor amendment suggestions for the MPS regarding engagement with adjacent municipalities, and wording in the MPS and the Public Participation Policy.

Council Advisory Committee recommends

That Council give First Reading to the amendments of the Municipal Planning Strategy

And further schedule a public hearing prior to second reading on February 26, 2024.

January 29, 2024

This recommendation is based on discussion and or reports which are attached.



TO: Council

SUBMITTED BY: Planning Department

DATE: January 8, 2024

SUBJECT: MPS Amendment Report Update

ORIGIN

The Municipal Government Act sets out minimum planning standards that the Town's planning documents need to acknowledge. There are two areas within our current Municipal Planning Strategy that need to be amended: Engaging with abutting municipalities, and language to connect the MPS to the public participation policy.

At the September 11, 2023 meeting of the Council Advisory Committee, planner Caroline Robertson from C + D Community Design, presented the first draft of proposed amendments to the Municipal Planning Strategy. An updated report was brought forward to the October 10, 2023 CAC meeting with some minor changes.

After consultation with the Senior Planner from the Department of Municipal Affairs and Housing to ensure our amendments were sufficient to satisfy the requirements of the MGA, junior planner Raleigh King from C + D Community Design and Kentville Planning Department staff held a Public Participation Meeting as required by G62 Public Participation Policy for the MPS Amendment process prior to the meeting of Council Advisory Committee on November 14, 2023.

DISCUSSION

The attached report is the most recent report from November that outlines the recommended amendments, as presented at the November 14, 2023 Public Participation Meeting.

POLICY IMPLICATIONS

None.

BUDGET IMPLICATION

None.

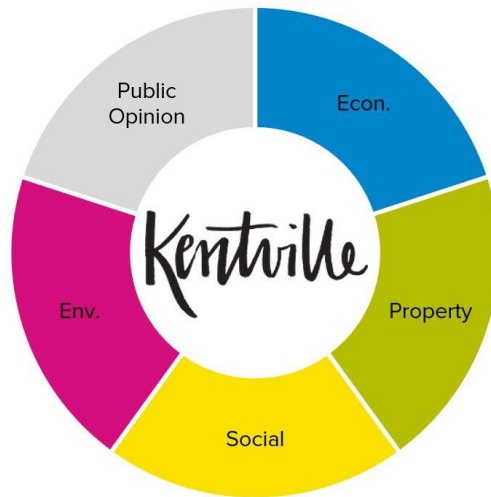
ATTACHMENTS

Revised MPS Amendment Report

RECOMMENDATIONS

That Council receive the attached MPS amendment report and proceed with first reading of the amendment at the January 29th, 2024 meeting of Council.

Town of Kentville Decision Wheel:





Municipal Planning Strategy Amendment Application

Consultation of neighbouring governing bodies

Applicant: Town of Kentville, as required by Department of Municipal Affairs

Presented to: Town of Kentville, Council

Date: August 15th, 2023

Prepared by: Fuki Asai, Junior Planner (Reviewed & Approved by Caroline Robertson, CIP LPP)



C+D community design

REPORT OVERVIEW

Request	<p>The existing Municipal Planning Strategy of the Town of Kentville does not comply with the Municipal Government Act. The province has made an amendment to the Municipal Government Act requiring that all Municipalities adopt planning documents and that the documents include policies on how they will engage with abutting municipalities when considering planning amendments.</p> <p>The Town of Kentville missed the deadline to meet this requirement and has been provided with an extension till fall 2023 to complete it.</p>
Description	<p>Engagement with Abutting Municipalities</p> <p>Municipal Government Act (MGA) Section 204A (1) requires engagement with abutting municipalities.</p> <p>To include this policy within the Town's Planning Documents, an amendment to the Municipal Planning Strategy (MPS) is required,</p> <p><u>To determine the best recommendation for the Town of Kentville, our team compiled a document that reviewed other Nova Scotia Municipalities planning documents and compared the policies they adopted to meet the provincial requirements.</u></p> <p>In addition, our team worked with the Town of Kentville staff to identify abutting governing bodies as well as any shared resources or buildings,</p> <p>Council must now consider what policy would be the most suitable for the Town of Kentville to adopt.</p> <ol style="list-style-type: none"> 1. Who are the governing bodies surrounding the Town of Kentville that it would be essential to communicate planning matters with? 2. Are there municipalities that border Kentville or that your government frequently collaborates with? 3. Do you have any shared buildings, services, or resources? Is there a nearby reserve that should be included in planning matters? 4. How much would you like to engage the other municipalities in planning matters? 5. Would you want to notify them whenever a development agreement or planning amendment is considered within a certain distance of the municipal boundary or a shared asset? Or would you prefer only to engage them during Municipal Planning Strategy reviews and amendments?
Recommendation	<p>Our team has developed several policy recommendations for Council to consider adopting into their Municipal Planning Strategy.</p> <ol style="list-style-type: none"> 1. It is recommended that Council consider adopting a policy that will support planning cooperation between the Town and the Municipality of Kings County. 2. The province offers a list of Statements of Interest to which Municipalities are expected to incorporate into their Planning Documents. One of these statements is to protect the quality of drinking water within municipal water supply watersheds. Working with the Municipality of Kings County

	<p>to ensure that all watersheds are adequately protected would be an excellent use of this policy.</p> <p>3. We have prepared draft policy amendment outlining how abutting municipalities will be notified in the future.</p>
Relevant Policies and Legislation	<p>Municipal Government Act 214(1)(d) & 204A (1)(2)(3)</p> <p>Municipal Planning Strategy Chapters 11 & 15</p> <p>G62 Public Participation Policy (Policy will require revisions)</p> <p>G64 Public Engagement and Participation at Council Meetings</p>
Follow Up Action	<p>The Municipal Government Act requires that Municipalities adopt a Public Participation Program Policy that outlines their public engagement process at the Planning Advisory Committee level when considering an amendment to their planning document. Section 214 (4) of MGA, Section 4 (d) of the Minimum Planning Requirements Regulations, “a statement of policy describing the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice” s required.</p> <p>The Town of Kentville has policy G62 Public Participation Policy. As the Town does not have a Planning Advisory Committee, the requirements of this policy are completed at Council’s committee meetings.</p> <p>This application will require the following steps:</p> <ol style="list-style-type: none"> 1. Public Participation Program to consider the proposed amendments. 2. 1st Reading (Council) 3. Public Hearing (Council) 4. 2nd Reading (Council)

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Policy Regarding Municipal Cooperation

The Proposal

Add new policies guiding cooperation with the abutting municipalities in part for Municipal Service (Chapter 11 in the MPS 2019) and Implementation (Chapter 15). The Town of Kentville MPS will comply with Section 204A (1) from MGA by adding the proposed new policies.

Proposed Policies:

A) New Policy MS-2 (Chapter 11 –11.2.1)

Council shall inform the Municipality of the County of Kings when improvements and/or major maintenance are planned for the shared water utility owned by the Town that extends into the County of Kings.

B) Amend Existing Policy MS-5 (Chapter 11 –11.2.1)

It shall be the intention of Council to work cooperatively with municipalities and other levels of government to promote the conservation, protection and management of groundwater resources through committees and authorities such as Kentville Water Commission, Kings Regional Sewer Committee, and Valley Regional Solid Waste-Resource Management Authority (Inter-Municipal Service Agreement).

C) Amend Existing Policy MS-15 (Chapter 11 -11.2.1.6)

It shall be the intention of Council to ~~request~~ support and encourage ~~that~~ the Municipality of the County of Kings to implement planning and land use control provisions that protect the quality of water supply from the Wellfield area and Lake McGee, consistent with the recommendations of the Kentville Water Commission Source Water Protection Plan (SWPP) and the Source Water Protection Advisory Group Standing Committee of Council, which includes Staff from the Municipality of Kings County. for those lands in the County which are located within the Wellfield area.

D) Proposal Statement (added Nov 7, 2023)

Add to existing statement 15.1 (Chapter 15, 15.1, page 69)

15.1 The Role of the Municipal Government Act

The Municipal Government Act (MGA) is the provincial legislation that governs planning and development in Nova Scotia. It outlines the various methods of development control available to municipalities in Nova Scotia for regulating land use decisions and development within their jurisdiction. The MGA also sets out the process for adopting Municipal Planning Strategies and Land Use By-laws, and the different types of development control, such as development agreements, variances or site plan approval. ~~The MGA describes the various methods of development control available to Nova Scotian municipalities for regulating development and land use decisions within their jurisdiction, sets out the process for adopting Municipal Planning Strategies and Land Use By-laws, and the process for amending these documents or for the different types of~~

~~development control such as development agreements, variances or site plan approval. The process requirements include minimum public participation and advertising requirements.~~

The Minimum Planning Requirements Regulations under the MGA requires a statement of policy describing the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice.

The Planning Requirements Regulations, which are outlined in the MGA under Mandatory Content, Section 4d, describe the procedures to be followed when reviewing the Municipal Planning Strategy. It also includes the process requirements for minimum public participation and advertising, which are outlined in the Council's G62 Public Participation Policy (Planning).

New Policy IM-1a

Council shall follow the public participation and advertising requirements outlined in the Council's G62 Public Participation Policy (Planning).

E) New Policy IM-17 (Chapter 15 –15.11)

Council shall notify the Municipality of the County of Kings when considering amendments to the Municipal Planning Strategy. This will include sending a copy of the Planner's report to their Council. If an amendment to the Municipal Planning Strategy, with a site-specific focus, is within 150 m from a shared boundary. In that case, Council shall include a letter requesting feedback to the County of Kings Council and a copy of the Planner's report. The engagement with the County of Kings shall be done before the first notice for a public hearing. (Added Nov 7)

Policy Analysis

A review of Municipal Planning Strategies from towns throughout Nova Scotia showed that most towns are cooperating with the abutting municipalities for shared municipal services (e.g., drinking water, sewage, etc.), protection of the quality of drinking water, and implementation of significant changes that may impact the abutting municipalities. From these examples, we have proposed four policies: A and B are for cooperation of municipal services, C is for protecting the water quality, and D is a statement to cooperate when significant changes to planning are being considered within the Town.

Proposal Policy A)

Add as new Policy MS-2 (Chapter 11, 11.2.1 -after current MS-1 in page 54)

Council shall inform the Municipality of the County of Kings when improvements and/or major maintenance are planned for the shared water utility owned by the Town that extends into the County of Kings.

Currently, the Town's Municipal Planning Strategy (MPS) lacks a statement on the cooperation with the Municipality of the County of Kings on the water service. The water service owned by the Town of Kentville extends into the County of Kings to the north and south. However, the policies in the MPS do not cover communication with the County; when improvements or maintenance are planned for the service, the residents of the County of Kings may be affected. To prevent conflicts between two municipalities, the Town shall be transparent about the plans for the water service.

This proposed policy will cover the cooperation and communication between the Town and the County. By being more transparent on the plans for the water services, the Councils and residents of the County will be updated on the condition of the infrastructure and any improvements as necessary.

Based on this proposed policy, the Town shall communicate with the County and refer to the County's opinion through letters and meetings through Kentville Water Commission. To incorporate the opinions from the County, this communication shall be done in the early stages of the planning process.

Once the draft plans on the maintenance or future water service plans are made, it shall be sent to the County for their review which can be done through the Kentville Water Commission. Comments from the Town will be considered on any relevant plans.

Proposal Policy B)

Amend Existing Policy MS-5 (Chapter 11, 11.2.1 in page 57)

It shall be the intention of Council to work cooperatively with municipalities and other levels of government to promote the conservation, protection, and management of groundwater resources through resources through committees and authorities such as Kentville Water Commission, Kings Regional Sewer Committee, and Valley Regional Solid Waste-Resource Management Authority (Inter-Municipal Service Agreement).

In the current Municipal Planning Strategy, there is the policy MS-5 stating:
“It shall be the intention of Council to work cooperatively with municipalities and other levels of government to promote conservation, protection and management of groundwater resources.”

However, this policy does not explain how the Town will work cooperatively with the municipalities. The Town has functioned in collaboration with the Kentville Water Commission, Kings Regional Sewer Committee, and Valley Regional Solid Waste-Resource Management Authority in the past. By adding the specific names of committees and authorities, the policy will become clearer on the positioning of the Town and the ways that the Town is operating the municipal services.

Proposal Policy C)

C) Amend Existing Policy MS-15 (Chapter 11-11.2.1.6)

It shall be the intention of Council to ~~request~~ support and encourage ~~that~~ the Municipality of the County of Kings to implement planning and land use control provisions that protect the quality of water supply from the Wellfield area and Lake McGee, consistent with the recommendations of the Kentville Water Commission Source Water Protection Plan (SWPP) and the Source Water Protection Advisory Group Standing Committee of Council, which includes Staff from the Municipality of Kings County. for those lands in the County which are located within the Wellfield area.

The proposed amendment policy C protects the water supply under 11.2.1.1 (page 54) of the Municipal Planning Strategy.

The backup water supply for the Town of Kentville comes from McGee Lake, located outside the town's boundary. The primary water source is the collection of wells on the west side of Town. The Source Water Protection Plan states the groundwater protection on the town's western side, the Wellfield area adjacent to the Town's boundary.

While these water sources are either in the County or overlapping the Town and the County's boundaries, there are no adopted policies in the Municipal Planning Strategy that states cooperation between the Town and the County to protect the water quality. Without cooperation, the water quality standards, and the level of water protection between the Town and the County may differ. When one has lower standards, the water quality will not be protected and is hard to maintain since the water pollution can flow through the ground into another. Additionally, by working together, the water quality will be protected more efficiently.

Based on this policy, the Town will support and encourage the County to protect the quality of their water supply. As the lake within the County's boundary is a potential

water source, the Town cannot directly impact development around the lake. However, the surrounding environment may impact the water quality, such as forests and land uses; the Town shall support by monitoring developments and environmental changes that may impact the water quality. Because of this, by adding this policy to cooperate with the County, the water source will be adequately protected more efficiently.

Proposal Statement D) (added Nov 7, 2023)

Add to existing statement 15.1 (Chapter 15, 15.1, page 69)

15.1 The Role of the Municipal Government Act

15.1 The Role of the Municipal Government Act

The Municipal Government Act (MGA) is the provincial legislation that governs planning and development in Nova Scotia. It outlines the various methods of development control available to municipalities in Nova Scotia for regulating land use decisions and development within their jurisdiction. The MGA also sets out the process for adopting Municipal Planning Strategies and Land Use By-laws, and the different types of development control, such as development agreements, variances or site plan approval. ~~The MGA describes the various methods of development control available to Nova Scotian municipalities for regulating development and land use decisions within their jurisdiction, sets out the process for adopting Municipal Planning Strategies and Land Use By-laws, and the process for amending these documents or for the different types of development control such as development agreements, variances or site plan approval. The process requirements include minimum public participation and advertising requirements.~~

The Planning Requirements Regulations, which are outlined in the MGA under Mandatory Content, Section 4d, describe the procedures to be followed when reviewing the Municipal Planning Strategy. It also includes the process requirements for minimum public participation and advertising, which are outlined in the Council's G62 Public Participation Policy (Planning).

The Minimum Planning Requirements Regulations under section 4d require a statement of policy describing the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice. The interpretation of this regulation by the Ministry of Municipal Affairs and Housing is that the policy used to meet this requirement must be linked to the MPS directly through language within the planning document. Although most municipalities, including the Town of Kentville, use a separate policy to meet this requirement, recent feedback from the Province indicates a need to revise the policy to ensure compliance with their interpretation.

Proposal Policy E)

Add as new Policy IM-17 (Chapter 15, 15.11 -after current IM-16 in page 78)

D) New Policy IM-17 (Chapter 15 –15.11)

Council shall notify the Municipality of the County of Kings when considering amendments to the Municipal Planning Strategy. This will include sending a copy of the Planner's report to their Council. If an amendment to the Municipal Planning Strategy, with a site-specific focus, is within 150 m from a shared boundary. In that case, Council shall include a letter requesting feedback to the County of Kings Council and a copy of the Planner's report.

The engagement with the County of Kings shall be done before the first notice for a public hearing. (Added Nov 7)

The Municipality of County of Kings surrounds the Town; significant developments within the Town boundary may impact the County of Kings. To prevent potential conflicts between the Town and the County, it is essential to provide notification of Municipal Planning Strategy amendments and provide the opportunity to incorporate the opinions of the Municipality of County of Kings' Councils and residents for Development Agreements or Municipal Planning Strategy Amendments within 150m of a shared boundary.

Examples of planning subjects that may impact the County are industrial and recreational developments. There is an opportunity to collaborate and connect recreational infrastructure between the two municipalities. Industrial uses may impact air and water quality within the County.

Recommendation

It is recommended that Council adopt the proposed policy additions to adhere to the Municipal Government Act Requirements for engaging abutting Municipalities as we move through the amendment process. A policy amendment is required.

Public Participation Process Requirements

G62 Public Participation Policy (Planning) states below:

1. One Public Participation Meeting shall be held before placing the first notice for a public hearing for amendment of Planning documents, including Municipal Planning Strategy Amendments, concurrent Land Use By-Law amendments, and changes to the Subdivision By-law.
2. Advertise the date and time for the meeting and a description of the proposed amendment in the local newspaper once a week for two consecutive weeks—the first ad to appear at least fourteen clear days before the meeting.
3. A notice of the meeting will be posted at the Town Hall on or before the date of the first newspaper advertisement.
4. The meeting will be open to all members of the public and will allow the public to ask staff or Councillors questions and make a presentation to staff of no more than 10 minutes.
5. Information regarding the proposed amendments will be made available to the public at the Town Hall, which will include such things as staff reports, drafts of the proposed amendment and the submissions made by the applicant.

Policy Regarding Public Consultation in the Review Process of MPS

The Proposal

The Municipal Government Act requires that a Municipality adopt a policy to provide public consultation when reviewing their planning documents. This process is called the Public Participation Program.

The Current policy “Town of Kentville Policy Statement G62 Public Participation Policy (Planning) require that for any new Municipal Planning Strategy and concurrent Land Use by-Law approvals, or amendments thereto; or any new Subdivision By-Law, or amendment thereto, on Public Participation Meeting shall be held (before placing the first notice for a public hearing). The date and time for the meeting and a description of the proposed planning document shall be advertised in the local newspaper once a week for two consecutive weeks.

It is recommended that Council add to section 4.0 Procedures of the policy if the above changes be adopted into the Municipal Planning Strategy.

Recommended statement addition:

When a Public Participation Program is required, Council shall notify the Municipality of the County of Kings of the public meeting and send a copy of the Planner’s report to their Council. If a Public Participation Program has a site-specific focus and is within 150 m of a shared boundary, then Council shall request feedback from the County of Kings Council.

Timeline:

A policy amendment requires a motion at Council, the CAO will review and approve any necessary policy changes.

Policy Examples

	Amherst	Annapolis Royal	Antigonish	Bridgewater	Digby	Lunenburg	Mahone Bay	New Glasgow
Municipalities Cooperation			x	x	x	x		
Municipal Infrastructure	x	x			x	x	x	x
Environment Climate Change		x			x			
Residential								
Economic/Industrial					x		x	
Transportation			x	x				
Implementation								

	Oxford	Port Hawkesbury	Stewiacke	Trenton	Truro	Wolfville	Yarmouth	Inter-Munic*
Municipalities Cooperation					x	x		
Municipal Infrastructure		x	x	x	x		x	x
Environment Climate Change		x			x	x	x	
Residential		x		x				
Economic/Industrial		x		x		x		
Transportation					x			
Implementation				x				
Others	x	x		x	x			x

*Town of New Glasgow, Pictou, Stellarton, Trenton, and Westville have Inter-Municipal Planning Strategy.

*MPS was not found for Town of Clark's Harbour, Mulgrave, and Shelburne.

*There are no policy related to cooperation with abutting municipalities in the MPS for Town of Berwick, Lockeport, and Middleton

Municipal Planning Strategies from Towns in NS

Policies related to cooperation with abutting municipalities.

Town of Amherst		Issued in 2005, amended in 2020
Municipal Service	Municipal Service Policy MSW Corporation (MS-8) (page 29) "It shall be the intention of Council to continue to cooperate with the Municipality of the County of Cumberland regarding the protection of the North Tyndal Wellfield where appropriate."	
Town of Annapolis Royal		Issued in 2019
Provincial Interest	(page 6) "Policies relating to encouraging the protection of the Town's source water supply, which is located outside of the Town in the adjacent Municipality, through municipal cooperation"	
Part 7	7. Environment and Conservation Areas Development (page 30) "Continue to co-operate with the Municipality of the County of Annapolis where the water supply is located." 7.10 "Council shall encourage and support the Municipality to adopt source water protection plans and the adoption of land use regulations for the purposes of protecting the quality of water utilized for the Town's municipal water supply."	
Part 13	13. Town Infrastructure (page 41) Shared maintenance and operating cost responsibilities for town sewer system, which is the joint service agreements with the Municipality of the County of Annapolis. 13.1.8 "The Town will cooperate with the Municipality of the County of Annapolis to promote and ensure the protection of the Town's source water supply area."	
Town of Antigonish		Issued in 2020
Section C C1-Shaping the Town	1.5 Engagement with Antigonish County (page C-8) Goal – Work together with Antigonish County to achieve mutual goals and remain the strong communication. Goal of Council to engage with and consider comments from Antigonish County in some decisions that will affect both, the Town and the County. ST22 "Council shall complete required engagement with Antigonish County prior to the first notice for a public hearing being placed in any newspaper circulating in the Town." ST23 "Council shall engage with Antigonish County on matters concerning: <ul style="list-style-type: none"> Regional Transportation Planning and construction projects 	

	<ul style="list-style-type: none"> • Development proposals in the Fringe area • Facility Development • Economic Development Planning • Flood Mitigation and Stormwater Management Planning • James River Watershed Protected Water Area • Infrastructure Planning • Youth Engagement in Decision-Making”
Section C C8 - Transportation and Mobility	<p>8.1 Mobility and Connectivity (page C-41) TM3</p> <p>“Council shall seek cooperation with Antigonish County to promote the requirement of transportation impact studies for all proposed suburban development applications in the Fringe Area to consider impacts within the Town as well as the County. Studies provided by the applicant shall prioritize connectivity with the Town’s active transportation network.”</p>
Town of Berwick Issued in 2012, amended in 2018	
Part 2	<p>2.1 Community Context, Goals and Provincial Interests</p> <p>“The ability to solidify and enhance the role and position of the community of Berwick within the context of the ongoing growth within the Valley region represent a significant opportunity.”</p> <p>-> No specific policy for cooperation with abutting municipalities.</p>
Town of Bridgewater Issued in 2014, amended in 2022	
Section 14 Transportation	<p>14.4 Public Transportation Objectives (page 128) 14.4.1 Partnerships</p> <p>Explore the possibility initiating a regional public transportation system in the South Shore with the province, other municipal units and local groups and organizations.</p> <p>T-21</p> <p>“It shall be a policy of Council to partner with different levels of government and stakeholders, where possible, to explore opportunities to help initiate a regional public transportation service in Lunenburg County.”</p>
Section 17 Implementation	<p>17.5 Public Participation Processes (page 139) IM-8</p> <p>“It shall be the policy of Council to require the following notification standards when consulting with abutting municipalities as required by the Municipal Government Act:</p> <p>a) Notification shall occur under the following circumstances directed by Council:</p> <ul style="list-style-type: none"> i. The creation or review of a Municipal Planning Strategy; or ii. The creation or review of a Land Use By-law; or iii. The creation or review of a Subdivision By-law; or

	<p>iv. The preparation of a draft Development Agreement, where the property is located within 500m of the Town Boundary; or</p> <p>v. The preparation of amendments to a Municipal Planning Strategy or Land Use By-law, where the amendment is for a property located within 500m of the Town boundary, or where the amendment has potential to impact a property located within 500m of the Town boundary; or</p> <p>vi. The preparation of amendments to a Municipal Planning Strategy or Land Use By-Law, where the amendment is associated with the Statements of Provincial interest.</p> <p>b) Notification shall be sent by regular mail or electronic mail to the Clerk to the adjacent municipality. The notice shall provide a general summary of the proposed work and provide an opportunity for the abutting municipality to submit comments on the proposal.</p> <p>c) Comments received from the abutting municipality shall be considered at a Council meeting prior to Council giving first reading.</p> <p>d) The notification and opportunity to submit comments prior to the date of the first reading shall be deemed as having solicited comments, regardless of whether a written response is received.</p>
Town of Clark's Harbour	
MPS not found.	
Town of Digby	Issued in 2012
Part 2	<p>2.2.1 Key Environmental Sustainability Issues Integration with the Municipality of the District of Digby's treatment system for sewage treatment plant. (page 10)</p> <p>2.3 ICSP (Integrated Community Sustainability Plan) projects (page 23-) Upgrading of Wastewater Treatment Plant, Collection System, Industrial Drive including sewer, water and road Construction, Household Hazardous Waste Depot -> Cooperative undertaking with the Municipality of the District of Digby.</p>
Part 3 Objectives	Commercial and Industrial Objectives (page 29)

	Cooperate with the Municipality of District of Digby to promote new industrial activities.
Part 3 Policies	Municipal Infrastructure and Environmental Protection Policies (page 43) MI 3 “It shall be the intention of Council to work cooperatively with the Municipality of the District of Digby in relation to the extension, integration and future development of municipal infrastructure and services, and in particular with respect to the Digby Area Industrial Park and the upgrading of the Town’s wastewater management system, to ensure fiscally and environmentally responsible growth within and adjacent to the Town.”
Town of Lockeport	
Issued in 1986 -only one available	
No policies for cooperation with abutting municipalities.	
Town of Lunenburg	
Issued in 2021	
Chapter 1	Drinking Water (page 3) As the water supply comes from outside of the Town’s boundary, the town is partnering with the Municipality of District of Lunenburg to protect the water.
Chapter 3	3.3 Infrastructure 3.3.4 Service Extensions Outside of Town Policy 3-6 Council shall, when considering a request for service extensions outside the Town boundary, have regard for: (a) cost recovery to the Town for both capital and operational costs; (b) the effects on servicing capacity and serviceability of lands within the Town boundary; and (c) input from the Municipality of the District of Lunenburg.
Chapter 6	Implementation and Review 6.1 Administration 6.1.5 Effective Date (page 37) Policy 6-3 “This Municipal Planning Strategy and implementing Land Use By-law shall come into effect on the date that a notice is published in a newspaper, circulating in the Municipality, informing the public that the planning documents are in effect.” 6.2 Regional Cooperation (page 37) 6.2.1 Consultation with Adjacent Municipality While the MPS applies only to the lands within the Town. However, the activities in the town have potential to affect lands within the Municipality of the District of Lunenburg. Policy 6-4

	<p>“Council shall consult with the Municipality of the District of Lunenburg when:</p> <p>(a) adopting a new Municipal Planning Strategy to replace this one; and</p> <p>(b) when considering amendments to this Municipal Planning Strategy that would affect lands within 500 metres of the Town boundary”</p>
Town of Mahone Bay	Issued in 2008, amended in 2016
Section 3	<p>3.2 Water Supply (page 4)</p> <p>3.2.5</p> <p>“To continue to improve the protection of the Oakland Lake water supply through an Oakland Lake Watershed Advisory Committee including representatives from the affected landowners and the Council of the Municipality of the District of Lunenburg.”</p> <p>3.9 Economic and Physical Growth (page 9)</p> <p>3.10.4</p> <p>“To continue to work co-operatively within groups such as the Regional Development Authority to promote economic development in and near the Town.”</p>
Town of Middleton	Issued in 2018
No policies for cooperation with abutting municipalities.	
Town of Mulgrave	Issued on
MPS not found.	
Town of New Glasgow - Secondary Planning Strategy (Part of Inter-Municipal Planning Strategy)	Issued in 2015
Chapter 6	<p>Water and Wastewater Services (page 15)</p> <p>NG-S-10</p> <p>“Implementation of a regional Sewer Use By-law with other Towns that use the ERECC will be encouraged.”</p> <p>NG-S-13</p> <p>“The Town shall work in concert with the other Towns through the East River Environmental Control Centre (ERECC) to ensure an efficient sewage collection and treatment program.”</p>
Town of Oxford	Issued in 2009 (plan for 2009-29)
Part 4	<p>Rural Development Objective (page 32)</p> <p>“To ensure that peripheral areas have a land use compatible with adjacent County lands.”</p>

Town of Pictou	
MPS is under Inter-Municipal Planning Strategy – summary at the end of this doc	
Town of Port Hawkesbury	Issued in 2010, amended in 2022
Part 3	<p>Cape Breton Regional Housing Authority (page 21) The Town is working with the Cape Breton Regional Housing Authority. L-1.16.0 “It shall be the intention of Council to work with the Cape Breton Regional Housing Authority as the appropriate means for direct involvement in the management of residential development projects.”</p> <p>Supporting Regional Industry (page 32) L-3.5.0 “It is the intention of Council to support the Strait of Canso Port Master Plan. Council will continue to work with other municipalities to guide the development of this project.”</p>
Part 4	<p>Drinking Water (page 38) CD-2.1 “It shall be the intention of Council to seek the assistance of the Councils of the Municipalities of Inverness and Richmond to restrict development in the Landrie Lake Watershed. Further, Council shall urge the Department of Environment to maintain the protection of the Landrie Lake Watershed Area by prohibiting all development not compatible with watershed protection regulations.”</p> <p>Wastewater Treatment (page 38) CD-2.3 It shall be the intention of Council to invest in a generator for the wastewater treatment plant to protect against untreated sewage dumps in the Strait in the event of a prolonged power outage. Solid waste disposal is currently handled on a cooperative arrangement with the other municipalities in the Canso Strait area by a single solid waste site located in Guysborough County.”</p> <p>Inter-municipal Interests (page 43) CD-4.16 “It shall be the intention of the Town to continue cooperating with the other municipal units to provide programs and services for the benefit of all residents within the Strait area.”</p> <p>Action on Climate Change (page 46) CD-5.2.6</p>

	<p>"It shall be the intention of Council to investigate the feasibility of hiring a regional sustainability coordinator, either alone or in cooperation with other Strait Area municipalities, to implement the numerous initiatives suggested in the Partners for Climate Protection Milestone 3 Report."</p>
Town of Shelburne	
MPS not found.	
Town of Stewiacke	Issued date: NA
Part 8 (page 47)	<p>Water Supply Policies Policy WS-6 "With respect to the watershed area located outside of the Town, Council shall encourage the Municipality of the County of Colchester to again consider establishing planning controls to protect the water supply, consistent with the goals and objectives of the Provincial Water Strategy."</p>
Town of Trenton	Issued in 2002
Municipal Infrastructure	<p>Water Supply Policy MI-11 Protection (page 15) "To ensure adequate measures are undertaken to provide for the long term viability and protection of the Town's water supply including:" "2. the development of a inter-municipal strategy between the Town of Trenton, the County of Pictou and the Town of New Glasgow to ensure the long term protection of the groundwater recharge area for Trenton's well-field;" "6. inter-municipal co-operation with other municipalities in Pictou County to develop a regional strategy for the supply of water services to Pictou County." Policy MI-16 East River Pollution Abatement System (page 16) "To continue to co-operate with other municipalities in Pictou County through the East River Pollution Abatement System to provide an efficient sewage collection and treatment program."</p> <p>Policy MI-20 Solid Waste Disposal (page 16) "It shall be the intention of Council to continue to co-operate with the other municipalities in Pictou County through the Pictou County Solid Waste Management System to provide a regular and efficient waste management collection program which meets or exceeds provincial standards and to maintain a safe and efficient site for its disposal."</p> <p>Policy MI-21 Recycling (page 17) "It shall be the intention of Council to continue to co-operate with the other municipalities in Pictou County through the Pictou</p>

	<p>County District Planning Commission to provide a regular and efficient recycling program”</p> <p>Policy MI-22 Composting (page 17) “It shall be the intention of Council to continue to co-operate with the other municipalities in Pictou County through the Pictou County District Planning Commission System to provide a regular and efficient composting program.”</p>
Future Residential Development	<p>Policy R-22 Municipal Cooperative Planning (page 25) “To undertake studies and engage in discussions with the Municipality of the County of Pictou and/or the Municipality of the Town of New Glasgow to evaluate the benefits of co-operative planning and annexations of lands for future residential development.”</p>
Airport Operation	<p>Policy AP-10 Inter-municipal Regulations on Height (page 37) “Council shall cooperate with County of Pictou, the Town of New Glasgow and Transport Canada to ensure regulations to control the height of development are observed.”</p>
Industrial Development	<p>Policy M-1 Industrial Land Requirements (page 40) “In co-operation with economic development agencies in Pictou County, to assess the volume and type of medium and long term industrial land requirements for Pictou County and examine the role of the Town in meeting these needs.”</p>
Implementation	<p>Land Use By-Law Administration Policy IM-7 “It shall be the intention of Council that the Development Officer, employed by the Pictou County District Planning Commission or one appointed by Council to act as its Development Officer, shall administer the land use By-law and issue development permits.”</p>
Town of Truro	
	<p>Issued in 2018, amended in 2018</p>
Part 5 Commercial	<p>5.6 Intermunicipal Planning Strategy (page 5-27) Policy C-61 “It shall be a policy of Council to honour its obligations under the Truro-Colchester Inter-Municipal Planning Strategy on Interjurisdictional Properties and work with the County on applications requiring planning approvals within the Inter-Jurisdictional Boundary as shown on Figure 5.1.”</p>
Part 9 Environmental Management	<p>9.2.5 Ongoing Flood Monitoring (page 9-5) Policy E-8 “It shall be a policy of Council to consider participating in any flood monitoring initiatives designed to record flood event characteristics and pursuing partnerships with the County of Colchester, the Province of Nova Scotia, Government of Canada and any other interest group that has a stake in flood related issues.”</p>

Part 10 Infrastructure	<p>10.3 Transportation Projects Policy IN-12 (page 10-6) "It shall be a policy of Council to, in conjunction with Colchester County and the Department of Transportation and Infrastructure Renewal, to undertake a regional transportation plan to develop a list of priority infrastructure projects in the Truro Region."</p> <p>Policy IN-17 (page 10-9) "It shall be a policy of Council to encourage the Provincial Department of Transportation and Public Works and the County of Colchester to work toward securing rights-of-way for the future ring road."</p> <p>10.7 Solid Waste Management Policy IN-35 (page 10-17) "Therefore it shall be a policy of Council to continue to work with the Municipality of the County of Colchester with respect to the capital costs, operation and maintenance of the Colchester Balefill Facility."</p>
Town of Westville	
MPS is under Inter-Municipal Planning Strategy – summary at the end of this doc	
Town of Wolfville	Issued in 2020
Part 1	<p>1.4 Provincial and Regional Coordination (page 12) 1.4.2 Regional Coordination "1. To have regard for the Statements of Regional Interest as outlined in the Kings 2050 Regional Approach Report. 2. To be open to collaborating with the County of Kings and other regional partners on regional land use planning, climate change mitigation on and adaptation, environmental protection, recreation, transit, economic development and other matters. 3. To include in the Town's Public Participation on Program Policy provisions to ensure engagement with abutting municipalities."</p>
Part 2	<p>2.3.2 Economic Prosperity "To encourage a range of local and regional partnerships that enhance economic development within the Town."</p>
Part 4	<p>4.3 Agriculture and Greenbelt (page 36) 4. "To encourage co-operation on with the Municipality of the County of Kings in the protect on and preservation on of agricultural land in the areas adjacent to the Town boundary."</p>
Town of Yarmouth	Issued in 2016, amended in 2023
Part 8	<p>Open Space Zone (page 93) Policy 8.8 "(2) To encourage and support the efforts of the Municipality of Yarmouth to continue the linear park system along Yarmouth</p>

	Harbour to Bunker's Island to the south as well as along Lake Milo to the north and the extension of the railway rights-of-way to create a regional park trail network."
Part 9	<p>Water Treatment (page 105) Policy 9.11 "It shall be the intention of Council to cooperate with the Municipality of Yarmouth to preserve and enhance the watershed environment so as to maintain water quality and quantity for future generations."</p> <p>Policy 9.13 "It shall be the intention of Council to cooperate with the Municipality of Yarmouth to promote efficiently planned extensions of the municipal water services into the municipality by mutual agreement where such extensions are deemed mutually appropriate, timely and financially beneficial."</p> <p>Policy 9.14 "It shall be the intention of Council to service new areas in the Municipality of Yarmouth by requiring water distribution main extensions to be connected to the 60.9 mm (24 in.) water transmission main"</p> <p>Fire Protection (page 114) Policy 9.38 "To work with the Yarmouth Fire Department* to ensure that the Town continues to maintain adequate fire protection services." *The Yarmouth Fire Department is part of the Municipality of Yarmouth and Acadia First Nation reserve.</p> <p>Emergency Readiness (page 115) Policy 9.40 "Update and implement the Town and Municipality of Yarmouth Joint Emergency Measures Organization Emergency Readiness Plan as and when necessary."</p>

Town of New Glasgow, Pictou, Stellarton, Trenton, and Westville

Inter-Municipal Planning Strategy		Effective from 2016
Chapter 5.1 Municipal Infrastructure	Policy SW-1 Solid Waste Disposal (page 17) "The Towns shall continue to co-operate and promote through public education a viable Pictou County solid waste management system, including refuse, recyclable and compostable materials, to provide a regular and efficient curb-side waste management collection program to provincial and municipal legislative standard."	
Chapter 5.9	Policy P-3 Co-operation with School Board, NSCC, and Others	

Recreation	"Chignecto Central Regional School Board, Nova Scotia Community College and other organizations and the Towns shall cooperate to provide recreational opportunities and shared use of recreational facilities."
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COUNCIL ADVISORY COMMITTEE

Recommendation to Council

Community Climate Capacity Grant Application

At the January 8, 2024 meeting of Council Advisory Committee, Mayor Sandra Snow outlined the need for more coordinated support for climate and sustainability initiatives in the town, and how a grant through the Community Climate Capacity program would provide a climate staff person for the town over three years.

Council Advisory Committee recommends

That Council support the Community Climate Capacity grant application.

January 29, 2024

This recommendation is based on discussion and or reports which are attached.

TO: Council

SUBMITTED BY: Jennifer West, Deputy Clerk

DATE: January 8, 2024

SUBJECT: Community Climate Capacity Grant Application

ORIGIN

In an effort to streamline and better coordinate existing and upcoming climate and sustainability projects for the town, staff have applied for a Climate Community Capacity Grant.

“The Community Climate Capacity (CCC) program will be working with 15 Nova Scotian communities over three-years, supporting their climate and sustainability measures by helping to identify their climate challenges and implement adaptation and mitigation actions.

Clean Foundation’s CCC program, funded by the Nova Scotia Department of Environment and Climate Change, will provide communities with the dedicated staff of specialists who can help guide them through climate and sustainability initiatives at the local level. Whether it is the increasing frequency and severity of extreme weather, flooding or prolonged heat waves, climate change is increasingly affecting our communities.”

BACKGROUND

Municipal governments no longer deal with straightforward challenges and issues- the problems facing local government are not limited to housing, access to water, education, equity, and environmental change. However it is difficult to manage these and other municipal affairs in the face of extreme weather events, drought, flooding, water shortages and heat waves. Local governments are struggling to take care of their residents using creative solutions to these wicked problems. Kentville’s interest in this grant is to help align new and existing services, programs and policies around sustainability, and to build long-term capacity to support community energy planning, adaptation and resilience, and biodiversity.

Recent years of extreme weather events in Kentville have impacted some residents severely. Extreme cold weather and hot weather caused the town to create a model of warming centres and cooling centres to provide heat and cooling, snacks and power to residents who needed it. Flooding in the town caused by extreme rain events impacted select communities showed that neighbours need connections to resources during emergencies. The Town recognizes that it needs to strategically realign services and supports to this new climate reality and make strong connections with formal and informal community groups. In the face of change and danger, the Town can create education, support, and resources to residents, groups, and networks that will empower citizens to thrive.

Staff have been working on these problems and are keen to continue this work. Each department has a small role in the larger picture of sustainability and resilience however, there have been instances of repetition and missed opportunities. Through this program, the Climate Lead will support staff to create a structure that will bring all of our work together, make it strategic and productive, and set the town on a strong path for its residents.

The Town continues to work on climate and sustainability projects, but without a Climate Lead, the work is parsed between departments, and on the side of the desks of several staff. Kentville

has grouped existing and near-term work into priorities that will effectively help the most residents as possible adapt to a changing climate, and reach greenhouse gas emissions targets. With these priorities set, and with a Climate Lead, staff will have the support to set and reach benchmarks and targets, identify grant opportunities, and create a longer-term plan for resilience in Kentville.

DISCUSSION

The Town of Kentville wants to help residents to be resilient in the face of extreme and changing weather. Without a dedicated staff person to evaluate and maintain existing greenhouse gas mitigation projects, it is difficult to reach regional and national greenhouse gas emissions targets. In addition to existing projects, the town needs adaptation policies, programs and projects that will help empower residents to adapt to the existing climate realities of extreme weather, and other environmental changes.

Kentville staff have developed a plan to effectively address the town's climate mitigation and adaptation needs strategically over the next three years, with the help of the Climate Community Capacity program. The three priorities for the town are **1. Community Energy Planning, 2. Community Adaptation and Resilience and 3. Birds and Biodiversity.**

1. **Community Energy Planning.** The town needs staff support to complete the Net Zero Community Accelerator Program through Quest Canada in 2024. This program will include public engagement, strategic planning meetings, creation of an Energy Plan for the Town, and setting emissions targets as a town. To support the town's Energy Plan Kentville the CCC will liaise with the Valley community Learning Association in 2025 to create demonstration projects at VCLA and throughout the town that showcase ways for residents to be more energy independent and resilient. Examples include building and installing bicycle- or solar- powered phone chargers, washing machines, and other devices. Community events will expand on these ideas and help residents create their own power during outages. In 2026, the town will be poised to complete deep energy retrofits to the town hall building. Following an energy audit in 2022 and an accessibility audit in 2023, the CCC will help guide the town to a decision around implementing deep retrofit recommendations by 2026.

2. **Community Adaptation and Resilience.** After several years of extreme rainfall and flooding events, the Town is launching a program to support stormwater management (SWM) for residents and homeowners. From 2024-2025 staff and the CCC will help coordinate seminars, a demonstration site, property assessments and SWM incentives for upgrades on private property. This program will lead to other conversations around adaptation initiatives that will help residents be more prepared for, and resilient in the face of changing weather. Staff and the ccc will work to create an Adaptation Action Plan for the town in 2026.

3. **Birds and Biodiversity.** Kentville has a number of beautiful natural parks that support education programs for bird and wildlife habitat conservation. This has led to the development of a Bird Team which is preparing an application to have the town designated as a Bird Friendly Town through Nature Canada. Staff and the CCC will complete this designation process that includes programs around threat reduction, conservation policies, and engagement programs around birding and habitat conservation. In anticipation of an Adaptation Action Plan, to reduce urban heat islands and to expand bird habitat, staff and the CCC will develop and implement a tree planting plan in the downtown and across public land.

Many of the policies and initiatives in this project intersect the work of the Parks and Recreation Department. The Director of this Department has reviewed and approves this grant application.

POLICY IMPLICATIONS

Potential new policies from this program:

- Greenhouse Gas Emissions Target Policy
- Adaptation Action Plan
- Biodiversity Policy
- Protected Areas Policy
- Habitat Conservation Policy

BUDGET IMPLICATION

This grant will completely fund the salary of a person (or team of persons) to act as the Climate Lead(s) for the Town. The Climate Lead will work closely with the Deputy Clerk in setting up, implementing and managing each of the priority areas for this program. Staff in other departments are eager support with the Climate Lead in implementing this program as described and as capacity allows.

It is unclear at this time whether the climate staff would be virtual or would be in person members of staff. Office space and some technology support may be required to support this staff.

ATTACHMENTS

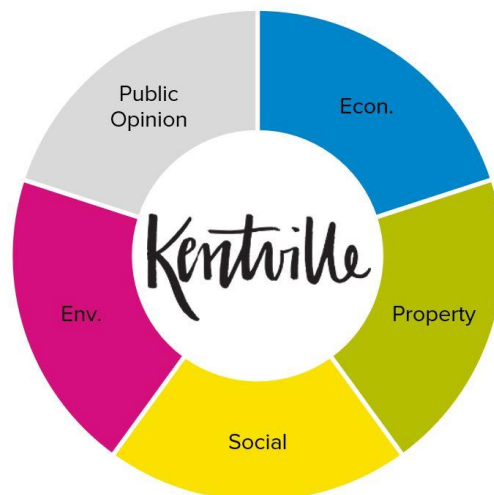
None.

RECOMMENDATION

Staff recommend

That Council support the Community Climate Capacity grant application for Climate Lead personnel to implement the climate and resilience initiatives over the next three years, at no salary cost to the Town.

Town of Kentville Decision Wheel:



Councilor Report

Kentville Town Council

Name: Craig Gerrard

Date: January 28, 2024

Date of Last Council Meeting Attended: November 27, 2024

Date of Last Council Advisory Meeting Attended: January 8, 2024

Date of Last Governance Session Attended:

Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
January 26, 2024	Police Commission	
January 22, 2024	Special Council meeting	Re zoning of lands
January 18, 2024	JFSC	Primarily budget talks and updates on trucks
December 6, 2024	CAO Selection Committee	
December 7, 2024	JFSC	Budget talks and truck updates

Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis

Councilor Report

Kentville Town Council

Conference Attendance and Synopsis

Date	Conference	Synopsis

Committee Meeting Synopsis – Completed by Committee Representative only

Detail	Synopsis		
Committee Name		Meeting Date:	
Meeting Highlights:			
Budget:			
New Projects:			
Policy Changes:			

Misc Events

Date	Synopsis

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Name: Paula Huntley

Date: January 24/2024

Date of Last Council Meeting Attended: November 27/23

Date of Last Council Advisory Meeting Attended: Jan 08/2024

COMMITTEE MEETING ATTENDANCE AND SYNOPSIS

Organization	Committee	Date	Summary
Town of Kentville	Water Commission	11/29/23	Agenda Attached
	Source water Protection	11/29/23	Agenda Attached
	Regional Emergency Management Org.	01/15/24	Agenda Attached
	Valley Regional Enterprise Network-Liaison & Oversight	11/23	Discussion on new chair, Board/committee meet & greet, Strategic plan, personnel changes & hiring.
	Accessibility & Inclusion	01/19/24	Attended as Spectator for AMANS Accessible steering committee.
Nova Scotia Federation of Municipalities	Board of Directors	12/01/23	New Board Member Orientation & Meeting
	Municipal Autonomy Advisory Committee	11/29/23	Prioritizations policy, Terms of Reference, Appointed Vice Chair.
	Association of Municipal Administrators Accessibility Steering Committee	11/30/23	Accessibility Foundations Training for Train the Trainer Course. -Part 1
		12/07/23	Accessibility Roadshow meetings, Retrofits in Bldg. Code standards.
		01/09/24	Director's community report
Federation of Canadian Municipalities	Partners for Climate Protection	12/14/23	National Building Code Standards & suggestions for standard changes.
	Board of Directors	11/24/23	Board Orientation & Directors meeting

COUNCILOR REPORT KENTVILLE TOWN COUNCIL

	Rural Forum		
	Election Readiness Working Group	11/21/23-11/25/23	Report presented at Advocacy Days conference by Vice Chair Councillor Huntley.
	Committee of the Whole	11/21/23 11/22/23	Advocacy Days in Ottawa
	Standing Committee on Social and Economic Development	11/21/23-11/25/23	Advocacy Days in Ottawa
	Atlantic Regional Caucus	11/21/23-11/25/23	Advocacy Days in Ottawa
	Standing Committee on Finance, Infrastructure and Transportation	11/21/23-11/25/23	Advocacy Days in Ottawa
Other	Climate Caucus Board of Directors	12/13/23	Update on work by the ED Alex Lidstone & presentation on engaging marginalized communities in municipal planning.
		01/08/24	Board Meeting (Newly appointed member)
		01/17/24	Climate action at the local level-practical tools & strategies to communicate.
	Brain Injury Association of Nova Scotia	11/23	Working on a possible Pilot Project jointly with the TOK's Recreation Dept.
	Kentville Rotary, Persons with Disabilities Committee	12/16/23	Christmas Rotary Christmas Party for Recipients & families.
	Selection committee	11/28/23	CAO Selection meeting
	Special meeting of council	12/06/23	CAO Selection
	Special meeting of council	12/12/23	Interim CAO Appointment for January 2024.

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

TOWN OF KENTVILLE EVENT ATTENDANCE AND SYNOPSIS

Date	Event/Conference	Synopsis
11/27/23	Celebration for new Deputy Chief of Police	Kentville upstairs rec center
12/15/23	Kentville Police Brunch	Kentville fire hall-Chrysalis House recipient
12/16/23	Anglican church breakfast	Kentville
01/09/24	Street renaming & Reconciliation ceremony	Kentville Rec. Center

MISC EVENTS

Date	Synopsis
12/18/23	Holiday Social with Minister of Municipal Affairs John Lohr held at Paddy's in Kentville
12/19/23	Attended the Announcement at 14 wing Greenwood by Federal Gov't of 11 Remote piloted aircraft
12/20/23	Valley business hub Holiday social for businesses & strategic partners
11/30/23	Bird team meeting at TOK
11/30/23	Interviewed by NSCC student for Podcast-Mentoring & its value
12/07/23	Ford dealership grand opening
12/01/23	Meeting with Construction safety NS-Connecting them with NSCC for free on-line learnings.
12/12/23	Meeting with NSCC Principal re: new builds for student housing
12/14/23	Meeting with Deputy Clerk regarding invite for JRTA's presentation to council
12/21/23	Meeting with Deputy Clerk



COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

01/06/24	Meeting with MLA Keith Irving
01/09/24	Meeting with Interim CAO Louis Coutinho
01/11/24	Meet with Deputy Clerk Re-AMANS Municipal Accessible Steering Committee attending as a guest with the TOK's Accessibility Committee for March 2024
01/11/24	Attended a Meet and Greet with Liberal Leader Zach Churchill
01/23/24	Meeting with Industry Communications Advisor with NSCC regarding "Women unlimited" 14-week program for Women in Trades.
01//04/24	Correspondence with President of NS Power Re: Battery Plant Site in Annapolis Valley
01/21/24	Correspondence with President of NS Power Re: Bio- Digester Facility on a Farm.
01/11/24	Tools for Trades Project with NSCC- meetings with NS Power, CUPE NS.
01/05/24 & 01/12/24	Meeting with Clean Foundation NS- Re :EV Fleet Solutions Program, Education programs for Schools & potential guest visits with youth.
01/12/24	Meeting with Senior Director Exec. Director of Labour, skills & Immigration on Immigration and population growth Info.
01/12/24	Meeting with Stakeholder Lead at NS Power RE: Mentoring in High Schools, Job Fairs & Trades Industry.

EXPENSES

This month	Year to Date
N/A	On-line.

CORRESPONDENCE RECEIVED

Date	Issue/Concern
01/05/24	Bike lane hazard



COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Jan 4,11,23-2024	Bylaw complaint (4 emails)
01/03/24	Eaves Hollow Clean Up
Dec /23	School Street (2 emails)
Dec/23	Acknowledgement of drop off material
Dec/23	Facility use in town
Dec & Jan	Pallet housing project (2 emails)
01/10/24	Culvert issue
01/05/24 01/24/24	Robinson property
01/13/24	FOIPOP Act
01/11/24	Audit committee and management letter
01/10/24	Drainage area/leaves
01-14,16,21,22	Pallet community (4 emails)
01/21/24	Crosswalk button broken
01/21/24	Stop sign icy, Grant Street
01/22/24	Miners Marsh sanding
01/23/24	Unkempt property



COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

01/23/24	Press release against Homelessness
01/24/24	Feces on sidewalk
01/24/24	Robinson Property



Kings County Regional Emergency Management Advisory Committee (REMAC)

Monday, January 15, 2024

10:00 am – 11:30 am

181 Coldbrook Village Park Drive, Coldbrook

Agenda

- | | |
|--|-------|
| 1. Appointment of Chair (Ref: REMAC Terms of Reference 2020-01-20) | REMC |
| 2. Call to Order | Chair |
| 3. Approval of Agenda | Chair |
| 4. Election of Deputy Chair | Chair |
| 5. Approval of Minutes: | Chair |
| a. Kings County REMAC Meeting, July 17, 2023 | |
| b. Kings County REMAC Meeting, October 16, 2023 | |
| 6. Presentation: | REMC |
| a. ECCC – Winter Weather Outlook | |
| 7. New Business: | REMC |
| a. REMAC Membership Update | |
| b. REMAC Terms of Reference biennial Review | |
| c. Public Health Update (COVID-19, Influenza-RSV) | |
| d. ECCC Coastal Flood Risk Mapping Project | |
| e. VON CAPABLE Program – Kings County | |
| f. Kings REMO Program Update | |
| (1) Kings REMO Annual Workplan 2024-2025 | |
| (2) Hazard Risk Vulnerability Assessment (HRVA) & Public Survey | |
| (3) Alert Ready Standard Operating Procedure (SOP) | |
| (4) 2023 Atlantic Hurricane Season - Summary | |
| (5) Comfort Centres | |



- (6) Community Outreach Program
- (7) REMO Social Media
- (8) Vulnerable Persons Registry (VPR)
- (9) Training & Exercises
 - i. After Action Review (AAR) – 2023-07-20 Hurricane-ECC Activation Workshop
 - ii. Training & Exercises 2024 forecast

8. Roundtable Discussion

Chair

9. Next Meeting

Chair

- Monday, April 15, 2024

10. Adjournment

Chair



NOVA SCOTIA
FEDERATION OF
MUNICIPALITIES

Municipal Autonomy Advisory Committee

November 29, 11am-2pm

Crombie Boardroom, CIBC Building

Draft Agenda

1. Call to Order
2. Appoint Committee Chair and Vice Chair
3. Recommend Terms of Reference to Board of Directors (Appendix A)
4. Review Advocacy Prioritization Policy and Advisory Committee Function (Appendix B)
5. Discuss Statement of Municipal Interest
6. Review Delegated Requests
 - a. Requests Already Reviewed
 - b. New Requests Received
 - i. Municipal Modernization (Appendix C)
7. Schedule Dates for Next Meetings
8. Adjournment



Are you an older adult looking for support to remain safe and independent at home? CAPABLE can help!



CAPABLE



Community Aging in Place, Advancing Better Living for Elders

CAPABLE is an evidence-based program brought to you by VON in partnership with the Department of Seniors and Long-term Care and on behalf of the Johns Hopkins School of Nursing.

What is the CAPABLE program?

CAPABLE teams work with each client over 4-5 months to improve in-home safety and function so clients can remain independent in their own home longer.

Clients receive initial visits from:

- An Occupational Therapist
- A Registered Nurse
- A handy-worker who can make repairs or modifications within a modest budget



Nurse



Occupational Therapist



Handy Worker

This team will work with the client to identify and address areas within their home and in their day-to-day life that can be improved so they can remain in their own home safely. Follow-up visits from the CAPABLE team will build on the one before, increasing clients' independence and quality of life.

Who is eligible?

The program may be available for those who are:

- Adults 65 years+ and
- Have physical or mobility challenges due to health or home environment.

And meet one of the following:

- Net income of \$85,000 or less; or
- Receive income assistance; or
- Receive the province's heating assistance rebate; or
- Receive the Guaranteed Income Supplement or the Allowance from Service Canada.

The program is offered in Preston Township, Halifax and Kings County.

To learn more or apply:

- **Phone:** 1-888-925-6101
- **Fax:** 902-593-0325
- **Email:** CAPABLENS@von.ca
- **Web:** <https://von.ca/capable>



Kings County Regional Emergency Management Advisory Committee (REMAC)

Monday, January 15, 2024

10:00 am – 11:30 am

181 Coldbrook Village Park Drive, Coldbrook

Agenda

- | | |
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 - i. After Action Review (AAR) – 2023-07-20 Hurricane-ECC Activation Workshop
 - ii. Training & Exercises 2024 forecast

- | | |
|---------------------------------|-------|
| 8. Roundtable Discussion | Chair |
| 9. Next Meeting | Chair |
| • Monday, April 15, 2024 | |
| 10. Adjournment | Chair |

FCM MUNICIPAL GROWTH FRAMEWORK

Background



► An outdated fiscal framework

Canada's population is growing—and that's a good thing. But as the country surpasses 40 million, the challenges facing Canada—including housing and homelessness, mental health, protecting our communities from the impacts of climate change, community safety and renewing core infrastructure—are more pressing than ever.

Municipalities are rising to the challenge with leadership and innovation but are constrained by an **outdated fiscal framework** that was never designed for the realities of 2023.

In May 2023, FCM's membership adopted a resolution calling for a new Municipal Growth Framework that would equip local governments with sources of revenue that grow along with the economy and the national population—ensuring that municipalities can accommodate population growth and continue to help solve Canada's biggest national challenges in every community.

If we want to successfully meet our nation's growth objectives and build a country that is more affordable, sustainable and prosperous, we must realize a new framework that helps redefine how we engage across orders of government—and we must take action now.

► The root of the problem: Overreliance on the property tax

Municipalities generally rely on three sources of revenue:

- **TAXES (54%),**
- **INTERGOVERNMENTAL GRANTS (21%),**
- **AND OTHER OWN-SOURCE REVENUE (25%)**
such as income and rents from properties and fees from licensing and administrative services.

Property taxes generally account for around half of all municipal revenue and nearly 90% of revenue from taxation. In Quebec and Atlantic Canada, municipalities rely on property taxes for over 95% of taxation revenue. In some provinces, municipalities collect an increased

share of alternatives to property taxes, such as developer charges, user fees, excise taxes and revenue from resource development. However, these sources rarely exceed more than 20% of tax-based revenue and are decreasing in some provinces.

Municipal ability to collect own-source revenue is limited by provincial legislative frameworks that reduce taxation options and prohibit many forms of deficit financing. As a result, municipalities are heavily reliant on grants and transfers from the federal government and provincial and territorial governments.

Local governments have been receiving an ever-decreasing share of the Canadian tax dollars since 1990.

Traditional sources of municipal revenue have remained largely stagnant when adjusted for inflation and, in some cases, fallen in real economic terms. For example, the year-over-year growth in municipal property tax revenue has been negative when adjusted for inflation (an annualized rate of -1.1% between 2016 and 2021), while the revenue from general taxes on goods and services has grown over the same period (at an annualized rate of 3.5% in real terms).

Municipalities do not benefit directly from taxes on goods and services, incomes and capital gains.

With municipal budgets impacted by inflation, municipalities are being asked to do more to address the housing crisis and other challenges and do not share in the revenue growth that provincial, territorial and federal governments receive. The lack of growth-oriented revenue sources means local governments have been receiving an ever-decreasing share of the Canadian tax dollar since 1990. This also means that municipalities do not directly benefit from the action they take to stimulate local and regional economic development.



Since 2016, inflation-adjusted sales and income tax revenue has increased 3.5% per year while municipal property tax revenue has decreased by 1.1% per year.

► About FCM

FCM is the national voice for Canada's local governments. We unite more than 2,000 cities and communities of all sizes, from big cities to rural and northern communities, as well as provincial and territorial municipal associations. Together we represent more than 92 percent of Canadians. That gives us an unparalleled ability to convene Canada's on-the-ground leaders, and to help design and deliver initiatives that build better lives for Canadians.

► Towards a new Municipal Growth Framework

FCM is assessing different options for new or expanded sources of municipal revenue that, together, would create a Municipal Growth Framework. This assessment includes:

1. Maximizing existing municipal tools,
2. Granting new revenue tools to municipalities,
3. Enhancing existing federal or provincial-territorial transfers and/or
4. Creating new federal or provincial/territorial transfers.

FCM is now consulting with municipalities, provincial and territorial municipal associations, the federal government, and a wide range of stakeholders from business, labour and civil society on the key principles that a municipal growth framework should conform to. The following three objectives are important components of a Municipal Growth Framework:

1. Municipal revenue is better connected to economic growth and national population growth.
2. Municipalities should have revenue tools that support the full range of services they provide, including capital and operating expenditures.
3. Existing tax revenue being more fairly distributed between orders of government relative to expenditures and service delivery mandates.

FCM is also assessing revenue options based on which could best address the largest cost drivers and priority policy areas, including:

- **Infrastructure**, including the repair and rehabilitation of existing assets and investment in new infrastructure to support **housing development** and growth.
- **Public transit**, including both capital and operating needs.
- **Public safety**, including emergency protective services (police, fire, paramedic), mental health, substance use and new frontline healthcare and public safety service delivery models
- **Homelessness**, including emergency shelters and supportive housing that integrate wrap-around health and social services.
- **Climate change**, including adapting to the impacts of climate change and transitioning to net-zero GHG emissions.
- **Economic development**, including investment attraction, tourism and destination marketing, and downtown/Mainstreet redevelopment.

Learn more about this historic drive for a
Municipal Growth Framework



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MUNICIPALITIES

FÉDÉRATION
CANADIENNE DES
MUNICIPALITÉS



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FÉDÉRATION
CANADIENNE DES
MUNICIPALITÉS

FCM's Advocacy Days and November 2023 Board Meeting: Report to Council

- This November's Board of Directors meeting took place in Ottawa ON, on November 24, 2023, right on the heels of FCM's annual Advocacy Days event.
- Taking place from November 21-23, FCM's Advocacy Days was another huge success this year, returning to a fully in-person edition on Parliament Hill. Over 100 advocacy meetings took place between our Board members and MPs across government and opposition benches. Local government leaders focussed on key municipal priorities ahead of the next federal budget including housing and homelessness, investment in the next generation of infrastructure and the need for a new Municipal Growth Framework.
Read more: [Municipal leaders wrap-up a week of advocacy ahead of Budget 2024](#)
- The Fall Economic Statement (FES) was released November 21, Day One of our Advocacy Days. FCM responded to the federal announcement with a **detailed response by President Scott Pearce**. Despite welcoming some steps to improve housing affordability, FCM was concerned that the FES does not reflect the scale of infrastructure investment required to meet the national housing supply gap. FCM underlined that we will be looking to Budget 2024 for a comprehensive, ambitious investment in community infrastructure that matches the record-breaking population growth currently underway in Canada.
Read more: [FCM reacts to the 2023 Fall Economic Statement](#)
- Also during Advocacy Days, on November 23, **FCM President Scott Pearce** and the **Chair of FCM's Big City Mayors' Caucus and Halifax Mayor Mike Savage** announced new research commissioned by FCM that estimates that, on average across the country, the cost of the municipal infrastructure required to support new housing is in the range of \$107,000 per home. When considering the 5.8 million homes that the federal and provincial governments are directing municipalities to approve by 2030, the scale of the gap could reach an equivalent of \$600 billion in municipal infrastructure investment. With municipalities facing limited options to pay for growth, FCM is calling for a national discussion on a new Municipal Growth Framework that links municipal funding with economic and population growth—and which would help unlock municipal capacity and a better quality of life for all Canadians.
Read more: [New research: Canada's housing challenge is also an infrastructure challenge](#)
- In conjunction with the FCM Board of Directors meeting on November 24, directors participated in peer-led orientation on their role and responsibilities as directors of a national not-for-profit corporation and were also provided with deeper insight into the work currently being carried out by the Green Municipal Fund. During the board meeting, directors also approved a new Code of Ethical Conduct and a Conflict of Interest policy. FCM's President and CEO provided their reports to the board, while no policy committee resolutions were presented during this board meeting.

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Name: Cathy Maxwell

Date: Jan 23/24

Date of Last Council Meeting Attended: Nov 27/24

Date of Last Council Advisory Meeting Attended: Jan 8/24

Date of Last Governance Session Attended:

Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
Dec 6/24	Naming Committee	Looked at a very long list of submitted names for the dog park. We whittled down the list to our top 3 suggestions and submitted those to staff for a deep dive on their acceptance.
Dec 8/24	Inclusion and Access Committee	Named Mike Cameron as the new Chair of this Committee with Spencer Laing as the Deputy. Draft of the audit for updating Town hall has been presented to staff to look over. It will then come to this committee and then onto Council and the CAO. Looked at the Outline for the Street Renaming Ceremony in Jan. Had a staff presentation on Anti-Discrimination/ Diversity and set up a Task Team to look at what can be done to make minority groups feel more welcome in the Town of Kentville.
Dec 7/24	Special Council Meeting	CAO Selection Committee Recommendation Discussion
Dec 21/24	Special Council Meeting	CAO Interview
Jan 11/24	Annapolis Valley Trails Coalition	The major topic was that the NS Government is pulling back their financial support for trails. (\$20,000) The mandate



COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

		<p>of the AVTC has been completed – to build trails and hire a coordinator. The issue is that now that the trail through the Valley is basically complete the province does not have a plan for trail maintenance. As we all know if trails are not maintained they grow over very quickly. Bicycling tourism is growing exponentially every year, and it would be a shame to see this dry up.</p> <p>So, the coalition has funding through to March but will need emergency funding of \$10,000-\$15,000 from the Coalition partners to get us through till the next budget. An Inter Municipal Service Agreement was suggested, and I believe a meeting is being set up with CAO's and other parties to look at this situation. I have spoken with our Recreation Director concerning this and asked him to mention it to the Mayor and CAO. Now that our new CAO is here, I will ask to meet with him and the Mayor to discuss prior to our AVTC Feb meeting.</p>
Jan 19/24	Inclusion and Access Committee	<p>The Town hall update is now with the Council for input. The Committee approved an ad hoc "Belonging Task Team" for 1 year to complete goals around diversity and inclusion for all citizens in the town. Had a presentation on Accessibility in our Business community and what can be done to help our businesses modify to be more accessible. Looked at updating</p>

COUNCILOR REPORT KENTVILLE TOWN COUNCIL

		the Flag Flying Policy to try and make it more inclusive, this is now with staff.
Jan 22/24	Special Council Meeting	Looked at making some changes in the MPS and LUB to accommodate more housing in our town.

Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis
Dec 15/24	KPS Holiday Brunch	A wonderful fundraiser by our Police to help with making Christmas brighter for people in need in our community.
Jan 6/24	Citizen Birthday Celebration	A celebration for longtime Kentville resident Joan Crowell.
Jan 9/24	Street Renaming Ceremony	A fantastic ceremony with our Indigenous community celebrating the renaming of Cornwallis Street to Bridge Street. Close to 150 attended this event and special thanks must go out to the organizing committee.
Jan 17/24	Meeting with a citizen	Met with a citizen to look at issues within our town.

COMMITTEE MEETING SYNOPSIS – COMPLETED BY COMMITTEE REPRESENTATIVE ONLY

Detail	Synopsis		
Committee Name		Meeting Date:	

Misc Events

Date	Synopsis

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

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COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Name: Deputy Mayor Cate Savage

Date: January 23rd 2024

Date of Last Council Meeting Attended: November 27th 2023

Date of Last Council Advisory Meeting Attended: January 8th 2024

COMMITTEE MEETING ATTENDANCE AND SYNOPSIS

	Committee	Synopsis
Jan 7 th	KBC Board Meeting	Minutes to follow at next council meeting in February. Treasurers Report was submitted and formal presentation to council (annual) will be completed at March CAC.
Jan 22	Special Meeting of council	Initiation Request – plan amendment PID 5551774 The Kentville Crossing Brison is seeking an expediated planning process to make changes to both the MPS and the LUB to allow for multi unit development along the frontage of the aforementioned PID. The land is zoned industrial at present. Public participation – 1 st and 2 nd readings will all take place as required.
Jan 5 th	REMAC Meeting	See attached agenda and associated materials
Jan 10 th	IAC	IA reported on the portfolio North of 13 million Discussions around how the reporting is done for the IAC and discussed how to condense

COUNCILOR REPORT KENTVILLE TOWN COUNCIL

		<p>same for the general public – more to come on this</p> <p>The consensus from the IA is that 2024 will be a tough market – US election plus central banks have something to prove with interest rate reductions</p>
December 21 st	Council meeting	In camera – personnel
December 15 th and November 27 th	RSC	<p>Discussion mainly around force main breaks (Dec 15th)</p> <p>Operations and Compliance updates</p> <p>Additional updates on desludging efforts</p>
December 6 th and November 28 th	Meeting of council and meeting of CAO recruitment committee	Discuss hiring of CAO

TOWN OF KENTVILLE EVENT ATTENDANCE AND SYNOPSIS

Date	Event/Conference	Synopsis
January 9 th	Renaming celebration	<p>All Cornwallis Street signs have been replaced with Bridge Street signs.</p> <p>It was a peaceful and memorable evening and I would like to thanks Jennifer and staff who made the event what it was – I felt blessed to be in attendance – there was great representation from the Indigenous Communities and their/our culture was celebrated – we are all treaty people</p>

MISC EVENTS



COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Date	Synopsis
Jan 22 nd	Meeting w Louis Coutinho
January 9 th	Meeting with Gary Morse – Andrew White – Lindsay Young to discuss KBC compliment
December 8 th	Meet and Greet – John Lohr
December 15 th	KPS Annual Breakfast December 7 th – Valley Ford official grand reopening Nov 22 – UARB Hearings

EXPENSES

This month	Year to Date
NIL	See website



Kings County Regional Emergency Management Advisory Committee (REMAC)

Monday, January 15, 2024

10:00 am – 11:30 am

181 Coldbrook Village Park Drive, Coldbrook

Agenda

- | | |
|---|-------|
| 1. Appointment of Chair (Ref: REMAC Terms of Reference 2020-01-20) | REMC |
| 2. Call to Order | Chair |
| 3. Approval of Agenda | Chair |
| 4. Election of Deputy Chair | Chair |
| 5. Approval of Minutes: | Chair |
| a. Kings County REMAC Meeting, July 17, 2023 | |
| b. Kings County REMAC Meeting, October 16, 2023 | |
| 6. Presentation: | REMC |
| a. ECCC – Winter Weather Outlook | |
| 7. New Business: | REMC |
| a. REMAC Membership Update | |
| b. REMAC Terms of Reference biennial Review | |
| c. Public Health Update (COVID-19, Influenza-RSV) | |
| d. ECCC Coastal Flood Risk Mapping Project | |
| e. VON CAPABLE Program – Kings County | |
| f. Kings REMO Program Update | |
| (1) Kings REMO Annual Workplan 2024-2025 | |
| (2) Hazard Risk Vulnerability Assessment (HRVA) & Public Survey | |
| (3) Alert Ready Standard Operating Procedure (SOP) | |
| (4) 2023 Atlantic Hurricane Season - Summary | |
| (5) Comfort Centres | |



- (6) Community Outreach Program
- (7) REMO Social Media
- (8) Vulnerable Persons Registry (VPR)
- (9) Training & Exercises
 - i. After Action Review (AAR) – 2023-07-20 Hurricane-ECC Activation Workshop
 - ii. Training & Exercises 2024 forecast

- | | |
|---------------------------------|-------|
| 8. Roundtable Discussion | Chair |
| 9. Next Meeting | Chair |
| • Monday, April 15, 2024 | |
| 10. Adjournment | Chair |



Kentville Business COMMUNITY

KBC Board of Directors Meeting

Wed January 17th, 2024
Board Room at 401 Main Street
4:00pm – 6:00pm

Minutes

Present: Genevieve Allen Hearn, Andrew White, Doug Ralph, Cate Savage, Christina Coughlan, Darryl Pike, Carrie May, Gary Morse, Paul Dixon, Lindsay Young

Regrets: Julie Ogilvie

Guest: Juli MacHattie

Meeting Opening

- Call to order – Andrew White called meeting to order at 4:03pm
- Approval of Agenda – Darryl Pike moved and Paul Dixon seconded the approval of the agenda
- Approval of November 15th, 2023 Board Meeting Minutes – Gary Morse moved and Paul Dixon seconded the approval of the minutes.

President's Report

- Juli MacHattie is attending the meeting as a potential board member.
- Noticed a good turnout for the Friday evening events during late night shopping.
- Into prep mode for 2024.

Committee Reports

- Treasurer Report
 - In good financial standing. A little over budget on a couple line items, but able to draw from the cash reserves to cover them.
 - Gary Morse moved and Paul Dixon seconded approval of the Treasurer report. Motion moved unanimously.
- Façade Program Committee Report
 - Need to determine if improvements are just for street facing projects, or public-use facing projects (such as the back of the Lion's Club, which can be seen from parking lots).
 - What happens when the town owns the building?
 - There are not many town owned buildings (Lion's Club and Kentville Heritage Centre). These can be dealt with on a case by case basis.
 - Lion's Club received funding for their façade from the town. KBC will remove them as a potential façade funding recipient.
 - Paul reached out to Adam about the River Street building signage and is waiting for answers.



Kentville Business COMMUNITY

- Lindsay and Gen will meet with Les (owner of Tim Horton's) to find out what they have planned for the building.

Action item: Lindsay and Genevieve to arrange a meeting with Les about the former Tim Horton's building.

- Promotions Committee Report (Absent Chair)
 - Good feedback on the carols in the park.
 - Stagger the timing of the carols and timing of when the businesses close.
 - Tie in a scavenger hunt or something that circulates people through the town.
 - Bridge Beauty Bar and Murphy's Barber shop opened recently in Kentville.
 - Headliner's Studio won the trophy for Christmas décor.
 - KBC Dollars in car windows as a January Promotions Committee activity to thank people for shopping downtown.
- Events Committee Report
 - Friday evening carols in the park – drew crowds but didn't translate into shopping.
 - Only received 7 responses for the holiday shopping survey so far. Will send again in a separate email. So far the responses are all over the spectrum.
 - Fire & Ice coming up. There is a full schedule Feb 9th – 14th. Asking shops to send info on sales/promos, and not getting a big response.
- Connections Team Report
 - Making a map of where all the businesses are located.
 - Another KBC mingle either before or after March break.
 - Intro about what KBC is.
 - Put in the newsletter – would you like to host a KBC mingle?

Executive Director Report

- Attended Sugarhouse Ceramics opening and Mindful Therapies opening.
- Welcomed Bridge Beauty Bar to town. They will have an opening soon.
 - Gen will send calendar invites for openings.
- Exit interview with Tyla's Boutique.
 - Wasn't getting the client base she needed to stay open.
 - Suggestion: Create a marketing package for new businesses with information on marketing in the Annapolis Valley.
- Met with NSCC about improving community engagement. Coming up with 'Welcome Week' ideas with Lindsay.
- Working with Lindsay on getting improved highway signage.
- Rec Dept will incorporate signage around town with info on parking and walkability. Working with Lindsay on this.
 - Look at Berwick signage.
- Looking into getting a quote for the hardware needed to have an over the street banner.
 - Would need to install poles. Might be a better location by Burgher Hill.
- Working on a 'how to shop eco-friendly' video with Canopy Creative.



Kentville Business COMMUNITY

- Will present for council in March when the new CAO will be in attendance.
- Sent an RFP for revamping the website. Will award the contract when Julie arrives back from Mexico.

Old Business

- Multicultural Festival proposal
 - The Board agreed to the proposal sent via email.
 - The Multicultural festival has incorporated as a Society.

Action item: Genevieve will draw up an MOU with the festival committee, with a 3 year agreement to funding/support.

- Pallet Community update
 - Moved to Exhibition Street
 - No longer under the control of Town of Kentville
- Signage on mural update
 - Andrew Zebian said the signage on the 'No Place Like Kentville' mural is temporary. Genevieve will follow up with an email.
 - Genevieve will change the property owner agreement to include a clause about not putting signage over murals.

New Business

- Video about accessibility in Centre Square
 - Could we run a third stream of the façade improvement for accessibility?
 - Invite Paul Tingley to a lunch and learn to talk about accessibility.

Action item: Gen will work with Lindsay to organize a lunch and learn.

Meeting Closing

- Comments & Announcements
- Next meeting date: **Wednesday, February 21st 4pm – 6pm**
- Adjournment – Paul Dixon motioned to adjourn at 6:10pm

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Name: Gillian Yorke

Date: January 29th, 2024

Date of Last Council Meeting Attended: November 27th, 2023

Date of Last Council Advisory Meeting Attended: January 8th, 2024

Date of Last Governance Session Attended:

Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
December 4 th , 2023	Diversity Kings	First meeting as representative on Diversity Kings. Discussions about committee make up, presentation opportunities and growth. Presentation of anti-racism in the workplace, and the role of anti-colonial work
December 6 th , 2023	Names List Committee	
December 6 th , 2023	Special Council Meeting: CAO Selection	Selection of new CAO from the hiring committee
December 8 th , 2023	Kentville Inclusion and Access Committee	Met with staff, held nominations for Chair and Vice Chair, and met with new staff (Roxy) and their role within the committee moving forward. Reviewed the work completed to date, and the work that needs to be done moving forward.
December 11 th	Special Council Meeting	
December 11 th , 2023	CAC Meeting	
December 14 th , 2023	Board of Police Commissioners Meeting	Reviewed monthly stats, had a budget update and reviewed our work plan



COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

December 21 st , 2023	Special meeting of Council	
January 3 rd , 2024	Diversity Kings	Meeting to discuss African Nova Scotia Heritage Month celebrations. When event details are available, I will forward them to council as a whole.
January 10 th , 2024	Strategic Plan Committee	Met to review the work completed and surveys completed for the strategic plan. It's helpful to see town survey results alongside policing stats to compare our work and our efforts of communication with the public.
January 17 th , 2024	Kings Point to Point (KPPT)	First KPPT meeting. Was brought up to speed on the work that's being done, budgets, and all of the (literal) moving pieces of this organization. I'm looking forward to working alongside this group as they bring more vehicles into their fleet and expand their services.
January 19 th , 2024	Kentville Inclusion and Access	Reviewing the Street Renaming Ceremony, and the work that is being done through community engagement and the Parks and Recreation Department. Looking forward to a new year of continued engagement, as well as critical reviews of our built infrastructure and community spaces.
January 22 nd , 2024	Special Meeting of Council	Review a proposed timeline from a developer on a new project in Town.
January 26 th , 2024	Board of Police Commission	Reviewing budgets, timelines and work plans. Plotting our progress for the year and mapping out the next steps to take. Celebrating the promotion of David

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

		MacDonald to Sergeant. Congratulations, Sgt. MacDonald.
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Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis
December	Carols in the Park	A lovely new tradition of carols in the park! Kudos to KBC and the TOK for partnering on this event, and making downtown a destination throughout the month of December. Thanks to the artists in our community as well for sharing their talents with us all.
December 15 th , 2023	Kentville Police Service Brunch	Toast maker for the Police brunch, an excellent event which raised funds for Chrysalis House. Well done, KPS!
January 9 th , 2024	Street Renaming Ceremony	A beautifully organized event that was powerful to witness. A special thanks to the drummers and musicians for lending their time and talent, as well as others who have been working on this initiative in the background for some time.

Conference Attendance and Synopsis

Date	Conference	Synopsis

Misc Events

Date	Synopsis
November 29 th , 2023	CAPG Roundtable for Board and Commission Chairs
December 1 st , 2023	Strategic Planning Session BoPC
December 19 th , 2023	Police Webinar through CAPG (post poned until New Year)



COUNCILOR REPORT
KENTVILLE TOWN COUNCIL

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Name: Councilor Andrew Zebian

Date: January 22/24

Date of Last Council Meeting Attended: November 27th, 2023

Date of Last Council Advisory Meeting Attended: January 8, 2024

COMMITTEE MEETING ATTENDANCE AND SYNOPSIS

Date	Committee	Synopsis
Nov 20/23	Heritage Committee	We continued to pick away at this document and how Committee wishes to present this document to Council. We have decided to ask Council to direct the Planning Department to answer some questions for us regarding permit approvals. We will have to wait until a position is filled in our Planning Department.
December 7 th 2023	KVFD	
January 18 th , 2023	KVFD	Both of these meetings were primarily centered around the budget. They have proposed a budget. The Chief and a few members from the Department traveled to Florida from December 12 th to the 15 th to finalize a new truck build. The estimate on the build time is 930 days. We should be receiving our ariel truck back the first part of February. It is in Quebec undergoing some work. One highlight I want to mention is the call volume. In the Month of December, there were 75 alarms addressed by this department. As a total, in 2023 this department responded to 500 calls, the highest in the department's history. In 2022, there were 445 calls.

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

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TOWN OF KENTVILLE EVENT ATTENDANCE AND SYNOPSIS

Date	Event/Conference	Synopsis
January 8 th , 2024	Street Renaming	This was well attended by many folks.

MISC EVENTS

Date	Synopsis
Dec 4/23	Kathleen Novelia from the Valley Regional Enterprise Network hosted an informative session about hiring newcomers to employ with support from provincial and federal government programs. It was very informative.
January 18/23	Meeting With Interim CAO Coutinho.
January 2023	Conversations with Citizens regarding unsightly properties. Concerns about not receiving follow-up after several emails/calls. There may need to be a clearer understanding of what dangerous and unsightly mean and who handles these matters.

EXPENSES

This month	Year to Date
December \$36.51	My entire expenses from April 2023 until present are \$328.51, which include my cell phone.



Councilor Report

Kentville Town Council

Name: Sandra Snow

Date: 29 January 2024

Date of Last Council Meeting Attended: 27 November 2023

Date of Last Council Advisory Meeting Attended: 8 January 2024

Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
27 Nov 23	NSFM Audit and Finance Committee	Review of the 2024 budget
27 Nov 23	Council Meeting	Forcemain Grant Application Cornwallis Street Renaming Policy Basic Income Guarantee Resolution Council meeting Dates, 2024 Appointment of Returning Officer Voting Method Voters List Advance Polls Mothers Against Drunk Driving, Proclamation Code of Conduct – breach Snow Council reports Personnel x2
28 Nov 23	CAO Selection Committee	Discuss CAO selection
29 Nov 23	SWPAC	See below
29 Nov 23	Water Commission	See below
1 Dec 23	NSFM Board of Directors	Quarterly Board Meeting
6 Dec 23	Special Meeting of Council	Discuss CAO Hiring
7 Dec 23	Regional Economic Development Taskforce	Kentville, Wolfville, Acadia and NSCC presented updates on economic activities
11 Dec 23	CAC Meeting	Brain Injury Association of Nova Scotia Valley Community Learning Association Director Reports

Councilor Report Kentville Town Council

		Review of Correspondence Policy SCCG application
13 Dec 23	Investment Advisory Committee	Update on portfolio Dec Value:\$13,035,322
15 Dec 23	NSFM Executive Meeting	Pre- Christmas wrap-up of Fall conference
20 Dec 23	IMSA	Monthly meeting, Valley Waste and King's Transit updates
20 Dec 23	VREN	Valley Hub Christmas update and get- together
21 Dec 23	Special Council Meeting	Appointment of Interim CAO
22 Dec 23	NSFM Executive Meeting	Special meeting – Municipal Observer advertising policy
2 Jan 24	CAO Meeting	Meeting with Interim CAO
3 Jan 24	NSFM Executive Meeting	Compensation Review proposals and Guiding Principles workshop proposals
5 Jan 24	Reconciliation Event	Meeting to discuss the sequence of events for the evening.
8 Jan 24	CAC	VCLA and Tennis Facility presentations Director Reports First Reading – Proposed Municipal Planning Strategy Amendment Climate Community Capacity Grant Application Town Hall Building Accessibility Audit Report Tennis Facility
10 Jan 24	Investment Advisory Committee	Update on portfolio Dec Value: \$13,035,322 Jan Value: \$
17 Jan 24	IMSA	Budget review
18 Jan 24	VREN	Economic update roundtable

Conference Attendance and Synopsis



Councilor Report Kentville Town Council

Date	Conference	Synopsis
4 Dec 23	Lunch and Learn	Immigration services for employers
4 Dec 23	Engage NS	Update on the planned 2024 QoL survey and funding from municipalities
5 Dec 23	Research NS - Child Poverty	Pier labs with Mike Davis and Dr Sydney Breneol, pverty leads to poor decisions, system 1 unconscious thinking and system 2 conscious thinking. Low income pharmacare \$5/px only a 5% uptake; Canada learning Bond \$2K/student, 29% uptake
12 Jan 24	AMANS	Blue Monday's webinar
22 Jan 24	Special meeting of Council	Initiation Request for MPS/LUB amendments

Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis
4 Dec 23	NSHA Recruiting	Visiting Dr and family walkabout in Downtown
11 Nov 23	Remembrance Day Ceremony	Royal Canadian legion held the annual ceremony at the Cenotaph
17 Nov 23	Holly Days	Perfect start to the holiday season
23 Nov 23	Long Service Awards	NS Police – Province of NS Cst Chris Burke was awarded his 15 year Medal for his service over the last 16 years with the Kentville Police Service.
14 Dec 23	Breakfast with CAO	Initial meeting with new CAO
15 Dec 23	KPS Breakfast	Kentville Police Service Christmas breakfast at the Firehall
20 Dec 23	Lunch with Public Works	Christmas lunch with Public Works and Engineering staff

Councilor Report

Kentville Town Council

9 Jan 24	Reconciliation Event	Unveiling of Bridge Street
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Misc Events

Date	Synopsis
6 Dec 23	Lunch with Mayor Wendy Donovan
7 Dec 23	Funeral Hormidas Fredette
7 Dec 23	Valley Ford Grand Opening
8 Dec 23	415 Sqn Christmas Party
9 Dec 23	KVFD Holiday Party
15 Dec 23	Wing Commander's At Home at the 14 Wing Mess
18 Dec 23	MLA Christmas Party
19 Dec 23	Federal funding announcement at 14 Wing Greenwood
21 Dec 23	CBC Interview – Effect of Federal funding announcement at 14 Wing Greenwood – on regional economy
22 Dec 23	Chat with Richard Galpin – Tennis Facility
18 Jan 24	Meeting with Legion President with regards to application to Kings Vision Grant
23 Jan 24	NSFGA AGM



Heritage Committee
Andrew Zebian
354 Main Street
Kentville, NS
B4N 1K6

902-599-1364
azebian@kentville.ca

December 11, 2023

RE: Heritage Committee Request to Council

Kentville Town Council,

The Heritage Committee met on November 20, 2023 to continue discussions on a proposed heritage property bylaw for the Town of Kentville. During the discussion, members brought up a mechanism which might help identify and preserve important properties and items.

The committee requests that Council direct staff to explore a mechanism within the development and building permitting process, which would incorporate

- (a) the review and identification of heritage elements in or on a building prior to permit approval; and
- (b) a mechanism to give more time to discuss and identify potential alternatives to significant alterations or demolition to a historical or potentially historical building, as requested by the owner.

Respectfully,
Andrew Zebian
Chair of the Kentville Historical Committee

TO: Mayor Snow and Members of Council

SUBMITTED BY: Louis Coutinho, Interim CAO

DATE: January 15, 2024

SUBJECT: INFORMATION REPORT - FOIPOP Requests

ORIGIN

Several queries and challenges have been received by Council on how the Town handles FOIPOP requests. This is an Information Report to provide a little more insight into how FOIPOP requests have been handled and **will be** handled going forward.

LEGISLATIVE AUTHORITY

Part XX of the MGA, Freedom of Information and Protection of Privacy, Sections 461 to Section 502 inclusive details how requests are to be made and how requests are to be processed. The entire 32 pages of this section of the MGA is appended as Appendix A. It is too long to provide a brief summation, but Council should read through it carefully to understand the issues.

BACKGROUND

As a public body, the Town of Kentville is subject to the Freedom of Information and Protections of Privacy (FOIPOP) rules set out in the MGA.

Many citizens are not aware of this section of the MGA when they refer to the FOIPOP Act and demand responses from the Town. The legislation is intended to ensure that the Town is transparent and accountable to its citizens, while also protecting the individual privacy rights and personal information of others. These are detailed in the MGA provisions in Appendix A.

DISCUSSION

Freedom of Information and Protection of Privacy (FOIPOP) requests generally aim to promote transparency by allowing the public access to government information. The protection of these requests often hinges on the public's right to know, fostering accountability and democratic principles. Balancing transparency with protecting public security, individual privacy or sensitive investigations is where due diligence and care is exercised in getting the facts out.

Everyone has a right of access to most recorded information held by the Town, but certain exemptions apply. Above all, citizens have a right of protection of the privacy of personal information in the custody or under the control of the Town which includes such things as your name, address, telephone number, age, sex, education, marital status, health-care history, financial history etc.

Legislation also prohibits the FOIPOP Administrator from disclosing a host of information which is very well detailed in Appendix A but summarized below as follows:

- Information that could reasonably be expected to harm intermunicipal or intergovernmental relations or reveal information provided by other municipalities or governments in confidence unless there is consent to do so
- Information that could reasonably be expected to harm the financial or economic interests of the Town or another municipality or the province.
- Information related to certain labour relations mediation or conciliation proceedings.
- Information subject to solicitor-client privilege
- Someone else's personal information
- Information that could significantly harm a third party's business interests.
- Information that could harm law enforcement.
- Information that could harm the economic or financial interests of a public body, other individuals or the public.

Many have taken to social media or other avenues including FOIPOP requests to access information from the Town. We exercise due care when divulging information being sought.

Appendix B enclosed is the step-by-step approach used by the FOIPOP Administrator when requests are filed with us. Should the Council wish to have the Administrator speak to you at a CAC meeting or other on how this is processed, we will be pleased to do so.

Very often there is sensitive information that is shared with Council that is not for public consumption. These matters are around legal, land, and labour (personnel) matters. Legal matters could be any number of issues including contracts, libel, litigation, etc. How we respond to these requests takes careful consideration to ensure there are no violations of the laws established around FOIPOP. Council is advised to read the entire 32 pages of legislation to understand why staff must often seek legal counsel in ensuring that any number of provisions are not inadvertently being violated. This is not costly when the information sought is that which is public information and conducted in open council recently or even some years back. It is costly when staff are required to provide information and must ensure that it is within the parameters of what we can and cannot disclose. Transparency does not mean disclosing anything and everything. We cannot wittingly or unwittingly open the Town for libel or other litigation for violation of the FOIPOP provisions of the MGA. We may inadvertently be providing sensitive information to members of the public in violation of the principles of confidence that we as a Town can be held accountable for.

If on the other hand we are willfully holding back information that is legitimately in the public domain, those requests can be appealed and the process for that is also included in legislation.

POLICY IMPLICATIONS

A few FOIPOP requests have been filed without the required \$5.00 fee established by legislation. However, depending on the nature of the request, the legislation allows municipalities to seek a fee equivalent to how long it may take to research the information and that fee structure is charged by the half hour in some municipalities or whatever the Council may deem appropriate. In those jurisdictions, if the fees are not provided before the FOIPOP request is investigated, the information is not researched. These requests cost the Town a lot of money in staff time and legal costs. Council may wish to consider such a fee if this matter is deemed appropriate to bring back to Council at a future CAC meeting for discussion.

There are a few incidents where Council has been berated in open council for not responding to people's requests generated in social media or through emails around matters under litigation. The Council has served its citizens well by not responding to social media or other such criticism. Council is well served when citizens express what they want, but the avenue for responding to such requests whether they are FOIPOP, social media or by email on any matter must be through a coordinated response back from Council and not individual members of Council writing back. Most certainly a response is required from the FOIPOP Administrator if that's the route that was taken. Not always can the information be provided within the required timeline and the FOIPOP Administer must advise the applicant of the date by which they will provide the information. The delay could be for many reasons from current workload to waiting for information from others.

BUDGET IMPLICATION

There are costs related to FOIPOP requests and these include staff time in processing them. Currently, no fees are collected for requests that may take additional research time and effort; nor do they include the costs of legal counsel to ensure the information is not in violation of the many provisions in the MGA pertaining to FOIPOP.

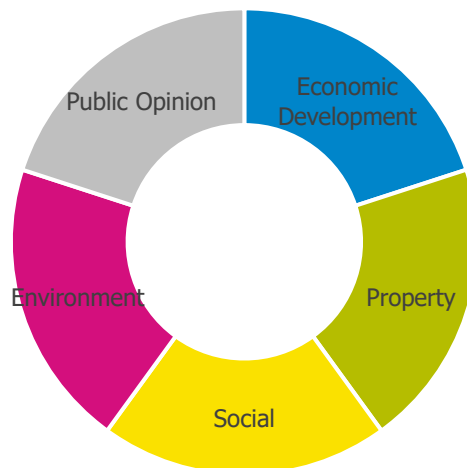
ATTACHMENTS

- Appendix A Municipal Government Act pertaining to Part XX Freedom of Information and Protection of Privacy Act (FOIPOP)
- Appendix B Process Flow Chart and Steps on FOIPOP requests by TOK

RECOMMENDATION

There is no recommendation. This information was provided so Council is aware of the legislation process and how requests for information are handled.

Town of Kentville Balanced Decision Making



APPENDIX A

Municipal Government Act

PART XX

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Note - See Section 502 and following note.

Interpretation

461 In this Part,

(a) "background information" means

- (i) any factual material,
- (ii) a public opinion poll,
- (iii) a statistical survey,
- (iv) an appraisal,
- (v) an economic forecast,
- (vi) an environmental-impact statement or similar information,
- (vii) a final report or final audit on the performance or efficiency of a municipality or on any of its programs or policies,
- (viii) a consumer test report or a report of a test carried out on a product to test equipment of a municipality,
- (ix) a feasibility or technical study, including a cost estimate, relating to a policy or project of a municipality,
- (x) a report on the results of field research undertaken before a policy proposal is formulated,
- (xi) a report of an external task force, advisory board or similar body that has been established to consider any matter and make reports or recommendations to a municipality, or

(xii) a plan or proposal to establish a new program or to change a program, if the plan or proposal has been approved or rejected by the council;

(b) "employee" in relation to a municipality, includes a person retained under an employment contract to perform services for the municipality;

(c) "law enforcement" means

(i) policing, including criminal-intelligence operations,

(ii) investigations that lead, or could lead, to a penalty or sanction being imposed, and

(iii) proceedings that lead, or could lead, to a penalty or sanction being imposed;

(d) "municipal body" means a committee, community council, agency, authority, board or commission, whether incorporated or not

(i) a majority of the members of which are appointed by, or

(ii) which is under the authority of,

one or more municipalities;

(e) "municipality" means a regional municipality, town, county or district municipality, village, service commission or municipal body;

(f) "personal information" means recorded information about an identifiable individual, including

(i) the individual's name, address or telephone number,

(ii) the individual's race, national or ethnic origin, colour, or religious or political beliefs or associations,

(iii) the individual's age, sex, sexual orientation, marital status or family status,

(iv) an identifying number, symbol or other particular assigned to the individual,

(v) the individual's fingerprints, blood type or inheritable characteristics,

(vi) information about the individual's health-care history, including a physical or mental disability,

(vii) information about the individual's educational, financial, criminal or employment history,

(viii) anyone else's opinions about the individual, and

(ix) the individual's personal views or opinions, except if they are about someone else;

(g) "prescribed" means prescribed by the regulations made pursuant to the Freedom of Information and Protection of Privacy Act or this Part;

(h) "record" includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records;

(i) "responsible officer" means, in the case of a

(i) regional municipality, town or county or district municipality, the chief administrative officer, if one has been appointed or, if one has not been appointed, the clerk,

(ii) village or service commission, the clerk,

(iii) municipal body

(A) a majority of the members of which are appointed by one municipality, the responsible officer for the appointing municipality,

(B) which is under the authority of one municipality, the responsible officer for that municipality, or

(C) which is not described in paragraph (A) or (B), the chair or presiding officer;

(j) "review officer" means the review officer appointed by the Governor in Council pursuant to the Freedom of Information and Protection of Privacy Act;

(k) "third party", in relation to a request for access to a record or for correction of personal information, means any person, group of persons or organization other than

(i) the person who made the request,

(ii) the municipality to which the request is made, or

(iii) a municipal body, a majority of the members of which are appointed by, or which is under the authority of, the municipality to which the request is made;

(l) "trade secret" means information, including a formula, pattern, compilation, program, device, product, method, technique or process, that

(i) is used, or may be used, in business or for any commercial advantage,

(ii) derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use,

(iii) is the subject of reasonable efforts to prevent it from becoming generally known, and

(iv) the disclosure of which would result in harm or improper benefit. 1998, c. 18, s. 461.

Purpose of Part

462 The purpose of this Part is to

(a) ensure that municipalities are fully accountable to the public by

(i) giving the public a right of access to records,

(ii) giving individuals a right of access to, and a right to correction of, personal information about themselves,

(iii) specifying limited exceptions to the rights of access,

(iv) preventing the unauthorized collection, use or disclosure of personal information by municipalities, and

(v) providing for an independent review of decisions made pursuant to this Part;

(b) provide for the disclosure of all municipal information with necessary exemptions, that are limited and specific, in order to

(i) facilitate informed public participation in policy formulation,

(ii) ensure fairness in government decision-making, and

(iii) permit the airing and reconciliation of divergent views; and

(c) protect the privacy of individuals with respect to personal information about themselves held by municipalities and to provide individuals with a right of access to that information. 1998, c. 18, s. 462.

Application of Part

463 (1) This Part applies to all records in the custody or under the control of a municipality.

(2) Notwithstanding subsection (1), this Part does not apply to

(a) published material or material that is available for purchase by the public;

- (b) material that is a matter of public record;
- (c) a note, communication or draft decision of a person acting in a judicial or quasi-judicial capacity;
- (d) a record of a question that is to be used on an examination or test;
- (e) material placed in the archives of a municipality by or for a person, agency or other organization other than the municipality;
- (ea) a record of each representation made on behalf of a municipality to the review officer in the course of a review pursuant to Section 487 and all material prepared for the purpose of making the representation; or
- (f) a record relating to a prosecution, if all proceedings in respect of the prosecution have not been completed. *1998, c. 18, s. 463; 2003, c. 9, s. 83.*

Limitations on effect of Part

464 This Part does not

- (a) limit the information otherwise available by law to a party to litigation, including a civil, criminal or administrative proceeding;
- (b) affect the power of any court or tribunal to compel a witness to testify or to compel the production of documents;
- (c) prohibit the transfer, storage or destruction of any record in accordance with any other Act of the Legislature or any regulation;
- (d) prevent access to records maintained in a public office for the purpose of providing public access to information; or
- (e) restrict disclosure of information for the purpose of a prosecution. *1998, c. 18, s. 464.*

Conflict

464A (1) Where there is a conflict between this Part and any other enactment and the other enactment restricts or prohibits access by any person to a record, this Part prevails over the other enactment unless subsection (2) or the other enactment states that the other enactment prevails over this Part.

(2) The following enactments that restrict or prohibit access by any person to a record prevail over this Part:

- (a) Section 19 of the Consumer Reporting Act;

- (b) Section 51 of the Corporation Capital Tax Act;
 - (c) Section 7 of the Emergency "911" Act;
 - (d) Section 19 of the Forests Act;
 - (e) Section 17 and subsection 104(2) of the Health Protection Act;
 - (f) Section 71 of the Hospitals Act;
 - (g) subsection 9(7) of the Juries Act;
 - (h) Section 28 of the Labour Standards Code;
 - (i) Section 32 of the Maintenance Enforcement Act;
 - (j) subsection 87(2) and Sections 150 and 175 of the Mineral Resources Act;
 - (k) subsection 98(6) of the Motor Vehicle Act;
 - (l) Sections 53, 61 and 62 of the Occupational Health and Safety Act;
 - (m) subsection 11(3) of the Pension Benefits Act;
 - (n) Sections 72 and 100 of the Petroleum Resources Regulations made pursuant to the Petroleum Resources Act;
 - (o) subsection 21(4) of the Primary Forest Products Marketing Act;
 - (p) Section 48 of the Public Trustee Act;
 - (q) Section 9 of the Statistics Act;
 - (r) subsection 9(3) of the Procedure Regulations made pursuant to the Trade Union Act;
 - (s) subsection 37(8) and Section 45 of the Vital Statistics Act;
 - (t) Sections 23 and 24 of the Young Persons' Summary Proceedings Act.
- (3) The Governor in Council may, by regulation, amend subsection (2) by
- (a) adding to that subsection a reference to an enactment;
 - (b) deleting a reference to an enactment from that subsection.

(4) Notwithstanding anything contained in this Act, the provisions in the Vital Statistics Act relating to

(a) rights of access to personal information, including the right to request a search of personal information;

(b) remedial rights relating to the rights described in clause (a);

(c) correction of personal information; and

(d) procedures relating to the matters referred to in clauses (a) to (c), including the payment of fees and the searching of and obtaining access to personal information,

apply in place of the provisions in this Act respecting the matters in clauses (a) to (d).

(5) Notwithstanding anything contained in this Act, Section 71 of the Hospitals Act, and any regulations made in respect of Section 71, relating to

(a) rights of access to personal information;

(b) remedial rights relating to the rights described in clause (a); and

(c) procedures relating to the matters referred to in clauses (a) and (b), including the payment of fees and the searching of and obtaining access to personal information,

apply in place of the provisions in this Part respecting the matters in clauses (a) to (c). 2003, c. 9, s. 84; 2004, c. 4, s. 116.

Right of access and restriction

465 (1) A person has a right of access to any record in the custody, or under the control, of a municipality upon making a request as provided in this Part.

(2) The right of access to a record does not extend to information exempted from disclosure pursuant to this Part but, if that information can reasonably be severed from the record, an applicant has the right of access to the remainder of the record.

(2A) Subject to subsection (2B), notwithstanding anything contained in this Part, where the record is an executed contract

(a) in which provision is made for the municipality to make a substantial transfer of risk to a person, including risk related to the operation or financing, or both, of government activities; and

(b) that is, or is in a class of contracts that is designated, before or within ninety days of the execution of the contract by the legal decision-making authority by which the municipality acts,

the right of access extends to any information in the contract that, but for this subsection, would be exempted from disclosure pursuant to this Part.

(2B) Subsection (2A) does not apply in respect of any information in the contract, to which that subsection refers,

(a) respecting trade secrets;

(b) respecting the financial and business information of the persons to whom that subsection refers; and

(c) the disclosure of which may reasonably be expected to endanger the safety or health of the public, a person or a group of persons.

(3) Nothing in this Part restricts access to information provided by custom or practice prior to the effective date of this Part. *1998, c. 18, s. 465; 2003, c. 9, s. 85.*

Procedure for obtaining access

466 (1) A person may obtain access to a record by

(a) making a request in writing to the municipality that has the custody or control of the record;

(b) specifying the subject matter of the record requested with sufficient particulars to enable an individual familiar with the subject matter to identify the record; and

(c) paying any fees required pursuant to this Part.

(2) The applicant may ask to examine the record or ask for a copy of the record. *1998, c. 18, s. 466.*

Duty of responsible officer

467 (1) Where a request is made pursuant to this Part for access to a record, the responsible officer shall

(a) make every reasonable effort to assist the applicant and to respond without delay to the applicant openly, accurately and completely; and

(b) consider the request and give written notice to the applicant of the decision with respect to the request.

(2) The responsible officer shall respond in writing to the applicant within thirty days after the application is received and the applicant has met the requirements of clauses 466(1)(b) and (c), stating

- (a) whether the applicant is entitled to the record or part of the record and
 - (i) where the applicant is entitled to access, stating that access will be given on payment of the prescribed fee and setting out where, when and how, or the manner in which, access will be given, or
 - (ii) where access to the record or to part of the record is refused, the reasons for the refusal and the provision of this Part on which the refusal is based;

(b) that the record is not in the custody or control of the municipality; or

(c) where the record would contain information exempted pursuant to Section 475 if the record were in the custody or control of the municipality, that confirmation or denial of the existence of the record is refused,

and stating

(d) the name, title, business address and business telephone number of an officer or employee of the municipality who can answer the applicant's questions about the decision; and

(e) that the applicant may ask for review by a review officer within sixty days after the applicant is notified of the decision.

(3) A responsible officer who fails to give a written response is deemed to have given notice of a decision to refuse to give access to the record thirty days after the application was received.

(4) A responsible officer may refuse to disclose to an applicant information

(a) that is published and available for purchase by the public; or

(b) that is to be published or released to the public within thirty days after the applicant's request is received.

(5) A responsible officer shall notify an applicant of the publication or release of information that the officer has refused to disclose.

(6) Where the information is not published or released within thirty days after the applicant's request is received, the responsible officer shall reconsider the request as if it were a new request received on the last day of that period, but the information shall not be refused solely because it is due to be published or released to the public. 1998, c. 18, s. 467; 2003, c. 9, s. 86.

Duties of responsible officer where access given

468 (1) Where an applicant is informed that access will be given, the responsible officer shall

(a) where the applicant has asked for a copy and the record can reasonably be reproduced,

(i) provide a copy of the record, or part of the record, with the response, or

(ii) give the applicant reasons for delay in providing the record; or

(b) where the applicant has asked to examine the record or where the record cannot reasonably be reproduced, permit the applicant to examine the record or part of the record.

(2) A responsible officer may give access to a record that is a microfilm, film, sound recording, or information stored by electronic or other technological means by

(a) permitting the applicant to examine a transcript of the record;

(b) providing the applicant with a copy of the transcript of the record;

(c) permitting, in the case of a record produced for visual or aural reception, the applicant to view or hear the record or providing the applicant with a copy of it; or

(d) permitting, in the case of a record stored by electronic or other technological means, the applicant to access the record or providing the applicant a copy of it.

(3) A responsible officer shall create a record for an applicant if

(a) the record can be created from a machine-readable record in the custody or under the control of the municipality using its normal computer hardware and software and technical expertise; and

(b) creating the record would not unreasonably interfere with the operations of the municipality.
1998, c. 18, s. 468.

Extension of time for response

469 (1) The responsible officer may extend the time provided for responding to a request for up to thirty days or, with a review officer's permission, for a longer period if

(a) the applicant does not give enough detail to enable the municipality to identify a requested record;

(b) a large number of records is requested or must be searched and meeting the time limit would unreasonably interfere with the operations of the municipality; or

(c) more time is needed to consult with a third party of [or] other municipality before the responsible officer can decide whether or not to give the applicant access to a requested record.

(2) Where the time is extended, the responsible officer shall tell the applicant

(a) the reason;

(b) when a response can be expected; and

(c) that the applicant may complain about the extension to a review officer. *1998, c. 18, s. 469.*

Transfer of request

470 (1) Within ten days after a request for access to a record is received, or such longer period as the review officer may determine, the responsible office of a municipality may transfer the request and, if necessary, the record to a municipal body to which the municipality appoints one or more members and which is not under the authority of the municipality, if

(a) the record was produced by or for the municipal body;

(b) the municipal body was the first to obtain the record; or

(c) the record is in the custody, or under the control of, the municipal body.

(2) Where a request is transferred pursuant to subsection (1)

(a) the responsible officer who transferred the request shall notify the applicant of the transfer; and

(b) the responsible officer to which the request is transferred shall respond to the applicant in accordance with this Part not later than thirty days after the request is received. *1998, c. 18, s. 470; 2003, c. 9, s. 87.*

Fees

471 (1) An applicant who makes a request pursuant to this Part shall pay to the municipality the prescribed application fee.

(2) A responsible officer may require an applicant who makes a request to pay fees for the following services:

(a) locating, retrieving and producing the record;

(b) preparing the record for disclosure;

(c) shipping and handling the record;

(d) providing a copy of the record.

(3) repealed 2003, c 9, s. 88.

(4) No fee shall be charged for a request for the applicant's own personal information.

(5) Where an applicant is required to pay fees for services, the responsible officer shall give the applicant an estimate of the total fee before providing the services.

(6) The responsible officer may require the applicant to pay the estimated fee prior to providing the services.

(7) On request of the applicant, the responsible officer may excuse an applicant from paying all or part of a fee referred to in subsection (2) if, in the opinion of the responsible officer, the applicant cannot afford the payment or for any other reason it is fair to excuse payment.

(8) The fees that applicants are required to pay for services shall not exceed the actual costs of the services. *1998, c. 18, s. 471; 2003, c. 9, s. 88.*

Intergovernmental affairs

472 (1) A responsible officer may refuse to disclose information to an applicant, if the disclosure could reasonably be expected to

(a) harm the conduct by the municipality of relations between the municipality and any of the following or their agencies:

(i) the Government of Canada or a province of Canada,

(ii) the Government of Nova Scotia,

(iii) another municipality,

(iv) a school board,

(v) an aboriginal government; or

(b) reveal information received in confidence from a government, body or organization listed in clause (a), or their agencies, unless the government, body, organization or its agency consents to the disclosure or makes the information public.

(2) The responsible officer shall not disclose information referred to in subsection (1) without the consent of the council.

(3) This Section does not apply to information in a record that has been in existence for fifteen or more years. *1998, c. 18, s. 472.*

Refusal to disclose information

473 (1) The responsible officer may refuse to disclose to an applicant information that would disclose the minutes or substance of the deliberations of a meeting of the council, village

commission or service commissioners or of the members of the municipal body held in private, as authorized by law.

(2) Subsection (1) does not apply to

(a) information in a record that has been in existence for ten or more years; or

(b) background information in a record, the purpose of which is to present explanations or analysis to the council, committee, agency, authority, board or commission for its consideration in making a decision, if

(i) the decision has been made public,

(ii) the decision has been implemented, or

(iii) five or more years have passed since the decision was made or considered. *1998, c. 18, s. 473.*

Refusal to disclose information

474 (1) The responsible officer may refuse to disclose information that would reveal advice, recommendations or draft resolutions, policies, by-laws or special legislation developed by or for the

(a) council, village commission or service commissioners; or

(b) members of the municipal body.

(2) The responsible officer shall not refuse to disclose background information used by the municipality.

(3) This Section does not apply to information in a record that has been in existence for five or more years.

(4) Nothing in this Section requires the disclosure of information that the responsible officer may refuse to disclose under Section 473. *1998, c. 18, s. 474; 2005, c. 55, s. 7.*

Refusal to disclose information

475 (1) The responsible officer may refuse to disclose information to an applicant if the disclosure could reasonably be expected to

(a) harm law enforcement;

(b) prejudice the defence of Canada or of any foreign state allied to, or associated with, Canada or harm the detection, prevention or suppression of espionage, sabotage or terrorism;

- (c) harm the effectiveness of investigative techniques or procedures currently used, or likely to be used, in law enforcement;
- (d) reveal the identity of a confidential source of law-enforcement information;
- (e) endanger the life or physical safety of a law-enforcement officer or any other person;
- (f) reveal any information relating to, or used in, the exercise of prosecutorial discretion;
- (g) deprive a person of a right to a fair trial or impartial adjudication;
- (h) reveal a record that has been confiscated from a person by a peace officer in accordance with an enactment;
- (i) be detrimental to the proper custody, control or supervision of a person under lawful detention;
- (j) facilitate the commission of an offence contrary to an enactment; or
- (k) harm the security of any property or system, including a building, a vehicle, a computer system or a communications system.

(2) The responsible officer may refuse to disclose information to an applicant if the information is

(a) in a law-enforcement record and the disclosure would be an offence pursuant to an enactment;

(b) in a law-enforcement record and the disclosure could reasonably be expected to expose, to civil liability, the author of the record or a person who has been quoted or paraphrased in the record; or

(c) about the history, supervision or release of a person who is in custody, or under supervision, and the disclosure could reasonably be expected to harm the proper custody or supervision of that person.

(3) After a police investigation is completed, the responsible officer shall not refuse to disclose to an applicant the reasons for a decision not to prosecute if the applicant is aware of the police investigation, but nothing in this subsection requires disclosure of information mentioned in subsections (1) or (2). *1998, c. 18, s. 475.*

Solicitor-client privilege

476 The responsible officer may refuse to disclose to an applicant information that is subject to solicitor-client privilege. *1998, c. 18, s. 476.*

Financial or economic interests

477 (1) The responsible officer may refuse to disclose to an applicant information, the disclosure of which, could reasonably be expected to harm the financial or economic interests of the municipality, another municipality or the Government of the Province or the ability of the Government of the Province to manage the economy and, without restricting the generality of the foregoing, may refuse to disclose the following information:

- (a) trade secrets of the municipality, another municipality or the Government of the Province;
- (b) financial, commercial, scientific or technical information that belongs to the municipality, another municipality or the Government of the Province and that has, or is reasonably likely to have, monetary value;
- (c) plans that relate to the management or personnel of or the administration of the municipality or another municipality and that have not yet been implemented or made public;
- (d) information the disclosure of which could reasonably be expected to result in the premature disclosure of a proposal or project or in undue financial loss or gain to a third party;
- (e) information about negotiations carried on by or for the municipality or another municipality or the Government of the Province.

(2) The responsible officer shall not refuse to disclose, pursuant to subsection (1) the results of product or environmental testing carried out by or for the municipality, unless the testing was done

- (a) for a fee as a service to a person, a group of persons or an organization other than the municipality; or
- (b) for the purpose of developing methods of testing. *1998, c. 18, s. 477.*

Health and safety

478 (1) The responsible officer may refuse to disclose to an applicant information, including personal information about the applicant, if the disclosure could reasonably be expected to

- (a) threaten anyone else's safety or mental or physical health; or
- (b) interfere with public safety.

(2) The responsible officer may refuse to disclose to an applicant personal information about the applicant, if the disclosure could reasonably be expected to result in immediate and grave harm to the applicant's safety or mental or physical health. *1998, c. 18, s. 478.*

Conservation

479 The responsible officer may refuse to disclose information to an applicant, if the disclosure could reasonably be expected to result in damage to, or interfere with the conservation of

- (a) fossil sites, natural sites or sites that have an anthropological or heritage value;
- (b) an endangered, threatened or vulnerable species, subspecies or race of plants, vertebrates or invertebrates; or
- (c) any other rare or endangered living resources. *1998, c. 18, s. 479.*

Refusal to disclose information

479A The responsible officer may refuse to disclose

- (a) any information of any kind obtained by a conciliation board, conciliation officer or mediator appointed pursuant to the Civil Service Collective Bargaining Act, the Corrections Act, the Highway Workers Collective Bargaining Act, the Teachers' Collective Bargaining Act or the Trade Union Act or by an employee of the Department of Environment and Labour or an employee, appointee or member of the Civil Service Employee Relations Board, the Correctional Facilities Employee Relations Board, the Highway Workers Employee Relations Board or the Labour Relations Board for the purpose of any of those Acts or in the course of carrying out duties under any of those Acts;
- (b) any report of a conciliation board or conciliation officer appointed pursuant to any of those Acts;
- (c) any testimony or proceedings before a conciliation board appointed pursuant to any of those Acts. *2003, c. 9, s. 89.*

Personal information

480 (1) The responsible officer shall refuse to disclose personal information to an applicant, if the disclosure would be an unreasonable invasion of a third party's personal privacy.

(2) In determining whether a disclosure of personal information constitutes an unreasonable invasion of a third party's personal privacy, the responsible officer shall consider all the relevant circumstances, including whether

- (a) the disclosure is desirable for the purpose of subjecting the activities of the municipality to public scrutiny;
- (b) the disclosure is likely to promote public health and safety or to promote the protection of the environment;

- (c) the personal information is relevant to a fair determination of the applicant's rights;
- (d) the disclosure will assist in researching the claims, disputes or grievances of aboriginal people;
- (e) the third party will be exposed unfairly to financial or other harm;
- (f) the personal information has been supplied in confidence;
- (g) the personal information is likely to be inaccurate or unreliable; and
- (h) the disclosure may unfairly damage the reputation of any person referred to in the record requested by the applicant.

(3) A disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy if the personal information

- (a) relates to a medical, dental, psychiatric, psychological or other health-care history, diagnosis, condition, treatment or evaluation;
- (b) was compiled, and is identifiable as, part of an investigation into a possible violation of law, except to the extent that disclosure is necessary to prosecute the violation or to continue the investigation;
- (c) relates to eligibility for income assistance or social service benefits or to the determination of benefit levels;
- (d) relates to employment or educational history;
- (e) was obtained on a tax return or gathered for the purpose of collecting a tax;
- (f) describes the third party's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness;
- (g) consists of personal recommendations or evaluations, character references or personnel evaluations;
- (h) indicates the third party's racial or ethnic origin, sexual orientation or religious or political beliefs or associations; or
- (i) consists of the third party's name together with the third party's address or telephone number and is to be used for mailing lists or solicitations by telephone or other means.

(4) A disclosure of personal information is not an unreasonable invasion of a third party's personal privacy if

- (a) the third party has, in writing, consented to or requested the disclosure;
 - (b) there are compelling circumstances affecting anyone's health or safety;
 - (c) an enactment authorizes the disclosure;
 - (d) the disclosure is for a research or statistical purpose and is in accordance with this Part;
 - (e) the information is about the third party's position, functions or remuneration as an officer, employee or member of a municipality;
 - (f) the disclosure reveals the amount of taxes or other debts due by the third party to the municipality;
 - (g) the disclosure reveals financial and other similar details of a contract to supply goods or services to a municipality;
 - (h) the information is about expenses incurred by the third party while travelling at the expense of a municipality;
 - (i) the disclosure reveals details of a licence, permit or other similar discretionary benefit granted to the third party by a municipality, not including personal information supplied in support of the request for the benefit; or
 - (j) the disclosure reveals details of a discretionary benefit of a financial nature granted to the third party by a municipality, not including personal information that is supplied in support of the request for the benefit or that relates to eligibility for or the level of income assistance or social service benefits.
- (5) On refusing to disclose personal information supplied in confidence about an applicant, the responsible officer shall give the applicant a summary of the information unless the summary cannot be prepared without disclosing the identity of a third party who supplied the personal information, and may allow the third party to prepare the summary of personal information.
1998, c. 18, s. 480.

Confidential information

481 (1) The responsible officer shall, unless the third party consents, refuse to disclose to an applicant information

- (a) that would reveal
 - (i) trade secrets of a third party, or
 - (ii) commercial, financial, labour relations, scientific or technical information of a third party;

(b) that is supplied, implicitly or explicitly, in confidence; and

(c) the disclosure of which could reasonably be expected to

(i) harm significantly the competitive position, or interfere significantly with the negotiating position, of the third party,

(ii) result in similar information no longer being supplied to the municipality when it is in the public interest that similar information continue to be supplied,

(iii) result in undue financial loss or gain to any person or organization, or

(iv) reveal information supplied to, or the report of, an arbitrator, mediator, labour relations officer or other person or body appointed to resolve or inquire into a labour-relations dispute.

(2) The responsible officer shall refuse to disclose to an applicant information that was obtained on a tax return or gathered for the purpose of determining tax liability or collecting a tax, unless the third party consents.

(3) The responsible officer shall disclose to an applicant a report prepared in the course of inspections by an agency that is authorized to enforce compliance with an enactment. *1998, c. 18, s. 481.*

Notice to third party

482 (1) When a responsible officer receives a request for access to a record that contains or may contain information of or about a third party that cannot be disclosed, the responsible officer shall, where practicable, promptly give the third party a notice

(a) stating that a request has been made by an applicant for access to a record containing information that disclosure of which may affect the interests, or invade the personal privacy, of the third party;

(b) describing the contents of the record; and

(c) stating that, within fourteen days after the notice is given, the third party may, in writing, consent to the disclosure or may make written representations to the responsible officer explaining why the information should not be disclosed.

(1A) Notwithstanding subsection (1), that subsection does not apply if

(a) the responsible officer decides, after examining the request, any relevant records and the views or interests of the third party respecting the disclosure requested, to refuse to disclose the record; or

(b) where the regulations so provide, it is not practical to give notice pursuant to that subsection.

(2) When notice is given pursuant to subsection (1), the responsible officer shall also give the applicant a notice stating that

(a) the record requested by the applicant contains information the disclosure of which may affect the interests or invade the personal privacy of a third party; and

(b) the third party is being given an opportunity to make representations concerning disclosure.

(c) repealed 2003, c. 9, s. 90.

(3) Within thirty days after notice is given to an applicant, the responsible officer shall decide whether to give access to the record or to part of the record, but no decision may be made before the earlier of

(a) fifteen days after the day notice is given; or

(b) the day a response is received from the third party.

(3A) For greater certainty, the time limited by subsection 467(2) for responding to a request for access to a record is not extended by reason only that a notice is given to an applicant pursuant to subsection (2), but that time may be extended pursuant to Section 469.

(3B) In complying with subsections (1) and (2), the municipality shall not

(a) disclose the name of the applicant to the third party without the consent of the applicant; or

(b) disclose the name of the third party to the applicant without the consent of the third party.

(4) On reaching a decision, the responsible officer shall give written notice of the decision to the applicant and the third party.

(5) Where the responsible officer decides to give access to the record or part of the record,

(a) the notice shall state that the applicant will be given access after twenty days, unless, in that time, the third party asks for a review pursuant to this Part;

(b) the notice shall state that the third party may ask for a review pursuant to this Part within twenty days of the notice; and

(c) access shall not be provided until the expiry of the twenty day period.

(6) Notwithstanding anything contained in this Section, the responsible officer who has, pursuant to this Section, given notice to a third party of a request for access to a record may, with the consent of the third party, give access to the record to the person who has made the request

before the expiration of the time limited by subsection (3) for the third party to ask for a review. *1998, c. 18, s. 482; 2003, c. 9, s. 90.*

Collection of personal information

483 (1) Personal information shall not be collected by, or for, a municipality unless

(a) the collection of that information is expressly authorized by, or pursuant to, an enactment;

(b) that information is collected for the purpose of law enforcement; or

(c) that information relates directly to, and is necessary for, an operating program or activity of the municipality.

(2) Where an individual's personal information will be used by a municipality to make a decision that directly affects the individual, the municipality shall make every reasonable effort to ensure that the information is accurate and complete.

(3) The responsible officer shall protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.

(4) Where a municipality uses an individual's personal information to make a decision that directly affects the individual, the municipality shall retain that information for at least one year after using it so that the individual has a reasonable opportunity to obtain access to it. *1998, c. 18, s. 483; 2000, c. 9, s. 56.*

Request to correct error or omission

484 (1) An applicant who believes there is an error or omission in the applicant's personal information may request the responsible officer to correct the information.

(2) Where no correction is made in response to a request, the responsible officer shall annotate the information with the correction that was requested but not made.

(3) On correcting or annotating personal information pursuant to this Section, the responsible officer shall notify any other municipality or any third party to whom that information has been disclosed during the one-year period before the correction was requested.

(4) On being notified of a correction or annotation of personal information, a municipality shall make the correction or annotation on any record of that information in its custody or under its control. *1998, c. 18, s. 484.*

Use and disclosure of personal information

485 (1) A municipality may use personal information only

- (a) for the purpose for which that information was obtained or compiled, or for a use compatible with that purpose;
- (b) if the individual the information is about has identified the information and has consented to the use; or
- (c) for a purpose for which that information may be disclosed to the municipality pursuant to this Section.

(2) A municipality may disclose personal information only

- (a) in accordance with this Part or as provided pursuant to another enactment;
- (b) if the individual the information is about has identified the information and consented in writing to its disclosure;
- (c) for the purpose for which it was obtained or compiled, or a use compatible with that purpose;
- (d) for the purpose of complying with an enactment or with a treaty, arrangement or agreement made pursuant to an enactment;
- (e) for the purpose of complying with a subpoena, warrant, summons or order issued or made by a court, person or body with jurisdiction to compel the production of information;
- (f) to an officer or employee of a municipality if the information is necessary for the performance of the duties of, or for the protection of the health or safety of, the officer or employee;
- (g) to a municipality to meet the necessary requirements of municipal operation;
- (h) for the purpose of
 - (i) collecting a debt or fine owing by an individual to the municipality, or
 - (ii) making a payment owing by the municipality to an individual;
- (i) to the auditor for audit purposes;
- (j) to a representative of the bargaining agent who has been authorized in writing by the employee, whom the information is about, to make an inquiry;
- (k) to the Public Archives of Nova Scotia, or the archives of a municipality, for archival purposes;
- (l) to a municipality or a law-enforcement agency in Canada to assist in an investigation
 - (i) undertaken with a view to a law-enforcement proceeding, or

- (ii) from which a law-enforcement proceeding is likely to result;
 - (m) if the information is disclosed by a law-enforcement agency to
 - (i) another law-enforcement agency in Canada, or
 - (ii) a law-enforcement agency in a foreign country under an arrangement, written agreement, treaty or legislative authority;
 - (n) if the responsible officer determines that compelling circumstances exist that affect anyone's health or safety;
 - (o) so that the next of kin or a friend of an injured, ill or deceased individual may be contacted;
or
 - (p) for research, archival and historical purposes as provided in this Section.
- (3) A use of personal information is a use compatible with the purpose for which the information was obtained, if the use
- (a) has a reasonable and direct connection to that purpose; and
 - (b) is necessary for performing the statutory duties of, or for operating a legally authorized program of, the municipality that uses the information or to which the information is disclosed.
- (4) A municipality may disclose personal information for a research purpose, including statistical research, if
- (a) the research purpose cannot reasonably be accomplished unless that information is provided in individually identifiable form;
 - (b) any record linkage is not harmful to the individuals that information is about and the benefits to be derived from the record linkage are clearly in the public interest;
 - (c) the responsible officer has approved conditions relating to
 - (i) security and confidentiality,
 - (ii) the removal or destruction of individual identifiers at the earliest reasonable time, and
 - (iii) the prohibition of any subsequent use or disclosure of that information in individually identifiable form without the express authorization of the municipality; and
 - (d) the person to whom that information is disclosed has signed an agreement to comply with the approved conditions, this Part and any of the municipality's policies and procedures relating to the confidentiality of personal information.

(5) The Public Archives of Nova Scotia, or the archives of a municipality, may disclose personal information for archival or historical purposes where

- (a) the disclosure would not be an unreasonable invasion of personal privacy;
- (b) the disclosure is for historical research;
- (c) the information is about someone who has been dead for twenty or more years; or
- (d) the information is in a record that is in the custody or control of the archives and open for historical research on the coming into force of this Part. 1998, c. 18, s. 485.

Disclosure in public interest

486 (1) Whether or not a request for access is made, the responsible officer may disclose to the public, to an affected group of people or to an applicant information

- (a) about a risk of significant harm to the environment or to the health or safety of the public or a group of people; or
- (b) the disclosure of which is, for any other reason, clearly in the public interest.

(2) Before disclosing information pursuant to subsection (1), the responsible officer shall, if practicable, notify any third party to whom the information relates.

(3) Where it is not practicable to comply with subsection (2), the responsible officer shall mail a notice of disclosure to the last known address of the third party. 1998, c. 18, s. 486.

Request by applicant for review

487 (1) A person who makes any request for access or for correction of personal information may ask for a review of any decision, act or failure to act of the responsible officer that relates to the request.

(2) A third party notified of a request for access may ask for a review of any decision made about the request by the responsible officer.

(3) A person who makes a request pursuant to this Part for access to a record or for correction of personal information may, within thirty days after the person is notified of the decision or within thirty days after the date of the act or failure to act, appeal directly to the Supreme Court of Nova Scotia as provided in this Part, if no third party has been notified or if a third party who has been notified consents to that appeal.

(4) A person who makes a request pursuant to subsection (1) shall, before the review is undertaken, pay the fee prescribed by regulation.

(5) Subsection (4) does not apply where the review relates to access to or a correction of personal information of the applicant.

(6) A regulation prescribing the fee referred to in subsection (4) may be made retroactive to April 4, 2002. *1998, c. 18, s. 487; 2003, c. 9, s. 91.*

Procedure for request for review

488 (1) A written request for a review shall be filed with a review officer

(a) within sixty days after the person asking for the review is notified of the decision;

(b) within sixty days after the date of the act or failure to act;

(c) by a third party, within twenty days after notice is given; or

(d) within a longer period allowed by the review officer.

(2) The failure of the responsible officer to respond in time to a request for access to a record is to be treated as a decision to refuse access to the record, but the time limit for filing a request for review does not apply. *1998, c. 18, s. 488.*

Copies of request and settlement of matter

489 (1) On receiving a request for a review, a review officer shall forthwith give a copy to

(a) the responsible officer concerned;

(b) an applicant, if the review was requested by a third party; and

(c) any other person that the review officer considers appropriate.

(2) A review officer may try to settle a matter under review through mediation.

(3) Where a review officer is unable to settle a matter within thirty days through mediation, the review officer shall conduct a review. *1998, c. 18, s. 489.*

Review in private and nature of review

490 (1) A review officer may conduct a review in private.

(2) The following persons are entitled to make representations to a review officer in the course of a review:

(a) the person who applies for the review;

(b) a third party or applicant who is entitled to notice pursuant to this Part;

(c) the responsible officer whose decision is the subject of the review; and

(d) any other person the review officer considers appropriate.

(2A) Where, pursuant to clause (2)(d), the review officer considers that a person is an appropriate person to make representations in the course of a review of a decision of the responsible officer of a municipality, then, notwithstanding anything contained in this Act, that person

(a) is entitled to

(i) a copy of the report of the review officer pursuant to Section 492,

(ii) appeal the decision of the responsible officer pursuant to Section 494, and

(iii) written notice of an appeal under subsection 494(2); and

(b) is party to the appeal to which the notice of appeal referred to in subclause (a)(iii) relates.

(3) A review officer may decide

(a) whether the representations are to be made orally or in writing;

(b) whether a person is entitled to be present during a review or to have access to, or comment on, representations made to the review officer by any other person. *1998, c. 18, s. 490; 2003, c. 9, s. 92.*

Powers of review officer

491 (1) Notwithstanding another Act of the Legislature, or any privilege that is available at law, a review officer may, in a review,

(a) require to be produced and examine any record that is in the custody, or under the control, of the municipality named in the request made pursuant to this Part; and

(b) enter and inspect any premises occupied by the municipality.

(2) A municipality shall comply with a requirement imposed by the review officer pursuant to clause (1)(a) within such time as is prescribed by the regulations.

(3) Where a municipality does not comply with a requirement imposed by the review officer pursuant to clause (1)(a) within the time limited for so doing by subsection (2), a judge of the

Supreme Court of Nova Scotia may, on the application of the review officer, order the municipality to do so.

(4) In an application made pursuant to subsection (3), a judge may give such directions as the judge thinks fit, including ordering which persons shall be parties to the application, which persons shall be given notice of the application and the manner in which such notice shall be given.

(5) An order made pursuant to subsection (3) may contain such provisions and such terms and conditions as the judge thinks fit. *1998, c. 18, s. 491; 2000, c. 9, s. 57; 2003, c. 9, s. 93.*

Duties of review officer on completing review

492 (1) On completing a review, a review officer shall

(a) prepare a written report setting out the review officer's recommendations with respect to the matter and the reasons for those recommendations; and

(b) send a copy of the report to the responsible officer, and where the matter was referred to the review officer by

(i) an applicant, to the applicant and to any third party notified pursuant to this Part, or

(ii) a third party, to the third party and to the applicant.

(2) In the report, the review officer may make any recommendations with respect to the matter under review that the review officer considers appropriate. *1998, c. 18, s. 492.*

Duties of responsible officer on receipt of report

493 (1) Within thirty days after receiving a report of a review officer, the responsible officer shall

(a) make a decision to follow the recommendation of the review officer or any other decision that the responsible officer considers appropriate; and

(b) give written notice of the decision to the review officer and the persons who were sent a copy of the report.

(2) The responsible officer shall give notice, in writing, to the persons who were sent a copy of the report and the decision of the responsible officer, of their right to appeal the decision of the responsible officer to the Supreme Court of Nova Scotia within thirty days of the date of making the decision.

(3) Where the responsible officer does not give notice within the time required, the responsible officer is deemed to have refused to follow the recommendation of the review officer. *1998, c. 18, s. 493; 2005, c. 55, s. 8.*

Appeal to Supreme Court

494 (1) Within thirty days after receiving a decision of the responsible officer, an applicant or a third party may appeal that decision to the Supreme Court of Nova Scotia.

(1A) An appeal is deemed not to have been taken pursuant to this Section unless a notice of appeal is given to the Minister of Justice by the person taking the appeal.

(1B) Where a notice of appeal is given pursuant to subsection (1A), the Minister of Justice may become a party to the appeal by filing with the prothonotary of the Supreme Court of Nova Scotia a notice stating that the Minister of Justice is a party to the appeal.

(2) The responsible officer who has refused a request for access to a record, or part of a record, shall, immediately on receipt of a notice of appeal by an applicant, give written notice of the appeal to any third party that the responsible officer

(a) has notified pursuant to this Part; or

(b) would have notified pursuant to this Part if the responsible officer had intended to give access to the record, or part of the record.

(3) The responsible officer who has granted a request for access to a record or part of a record shall, immediately on receipt of a notice of appeal by a third party, give written notice of the appeal to the applicant.

(4) An applicant or a third party who has been given notice of an appeal may appear as a party to the appeal.

(5) The review officer is not a party to an appeal.

(6) Where the responsible officer decides to give access to a record or a part of a record after the review officer files a report setting out the review officer's recommendations respecting the matter, the responsible officer shall not give access until the time limited for a third party taking an appeal from the decision to the Supreme Court of Nova Scotia expires and

(a) no appeal has been taken by a third party from the decision within the time limited for so doing; or

(b) where an appeal has been taken within that time by a third party, it has subsequently been abandoned or withdrawn,

but, where an appeal is taken by a third party, the responsible officer shall not give access until either the decision of the responsible officer is upheld by an order of the Supreme Court and the order becomes final by lapse of time or the decision of the responsible officer is upheld by the highest authority to which any further appeal or appeals are taken. *1998, c. 18, s. 494; 2003, c. 9, s. 94; 2005, c. 55, s. 9.*

Powers of Supreme Court

495 (1) On an appeal, the Supreme Court of Nova Scotia may

(a) determine the matter de novo; and

(b) examine any record in camera in order to determine on the merits whether the information in the record may be withheld pursuant to this Part.

(2) Notwithstanding any other Part or any privilege that is available at law, the Supreme Court of Nova Scotia may, on an appeal, examine any record in the custody or under the control of a municipality, and no information shall be withheld from the Court on any grounds.

(3) The Supreme Court of Nova Scotia shall take every reasonable precaution, including, where appropriate, receiving representations ex parte and conducting hearings in camera, to avoid disclosure by the Court or any person of any information

(a) or other material, if the nature of the information or material could justify a refusal by a responsible officer to give access to a record or part of a record; or

(b) as to whether a record exists, if the responsible officer, in refusing to give access, does not indicate whether the record exists.

(4) The Supreme Court of Nova Scotia may disclose to the Minister of Justice or the Attorney General of Canada information that may relate to the commission of an offence pursuant to another enactment by an officer or employee of a municipality.

(5) Where the responsible officer has refused to give access to a record or part of it, the Supreme Court of Nova Scotia, if it determines that the responsible officer is not authorized to refuse to give access to the record, or part of it, shall

(a) order the responsible officer to give the applicant access to the record, or part of it, subject to any conditions that the Court considers appropriate; or

(b) make any other order that the Court considers appropriate.

(6) Where the Supreme Court of Nova Scotia finds that a record falls within an exemption, the Court shall not order the responsible officer to give the applicant access to the record, regardless of whether the exemption requires, or merely authorizes, the responsible officer to refuse to give access to the record. *1998, c. 18, s. 495.*

Exercise of right or power

496 Any right or power conferred on an individual by this Part may be exercised

- (a) where the individual is deceased, by the individual's representative, if the exercise of the right or power relates to the administration of the individual's estate;
 - (b) where a personal guardian or property guardian has been appointed for the individual, by the guardian, if the exercise of the right or power relates to the powers and duties of the guardian;
 - (c) where a power of attorney has been granted, by the attorney if the exercise of the right or power relates to the powers and duties of the attorney conferred by the power of attorney;
 - (d) where the individual is less than the age of majority, by the individual's legal custodian in situations where, in the opinion of the responsible officer, the exercise of the right or power would not constitute an unreasonable invasion of the privacy of the individual; or
 - (e) by a person with written authorization from the individual to act on the individual's behalf.
- 1998, c. 18, s. 496.*

Delegation of powers by responsible officer

497 (1) The responsible officer may delegate to one or more officers of the municipality a power granted to, or a duty vested in, the responsible officer.

(2) A delegation

- (a) shall be in writing; and
- (b) may contain any limitations, restrictions, conditions or requirements that the responsible officer considers necessary or advisable. *1998, c. 18, s. 497.*

Burden of proof

498 (1) At a review or appeal into a decision to refuse an applicant access to all or part of a record, the burden is on the responsible officer to prove that the applicant has no right of access to the record or part.

(2) Where the record or part that the applicant is refused access to contains personal information about a third party, the burden is on the applicant to prove that disclosure of the information would not be an unreasonable invasion of the third party's personal privacy.

(3) At a review or appeal into a decision to give an applicant access to all or part of a record containing information that relates to a third party

(a) in the case of personal information, the burden is on the applicant to prove that disclosure of the information would not be an unreasonable invasion of the third party's personal privacy; and

(b) in any other case, the burden is on the third party to prove that the applicant has no right of access to the record or part. *1998, c. 18, s. 498.*

Limitation of liability

499 No action or other proceeding lies against the responsible officer or any person acting on behalf of, or under the direction of, the responsible officer for damages resulting from the

(a) disclosure in good faith of all, or part of, a record pursuant to this Part or any consequences of that disclosure; or

(b) failure to give any notice required pursuant to this Part, if reasonable care is taken to give the required notice. *1998, c. 18, s. 499.*

Offence and penalty

500 (1) Every person who maliciously collects or discloses personal information in contravention of this Part or the regulations is guilty of an offence and liable, on summary conviction, to a penalty of not more than five thousand dollars or to imprisonment for six months, or both.

(1A) Every person who knowingly alters a record that is subject to a request in order to mislead the person who made the request is guilty of an offence and liable on summary conviction to a fine of not more than two thousand dollars or to imprisonment for six months, or both.

(2) Section 4 of the Summary Proceedings Act does not apply to this Part. *1998, c. 18, s. 500; 2003, c. 9, s. 95.*

Regulations

501 (1) The Governor in Council may make regulations

(a) prescribing procedures to be followed in taking, transferring and processing requests for access;

(b) prescribing or limiting fees to be paid pursuant to this Part;

(c) prescribing additional circumstances in which a responsible officer may waive the payment of all, or any part, of a prescribed fee;

(d) prescribing the categories of sites that are considered to have heritage or anthropological value;

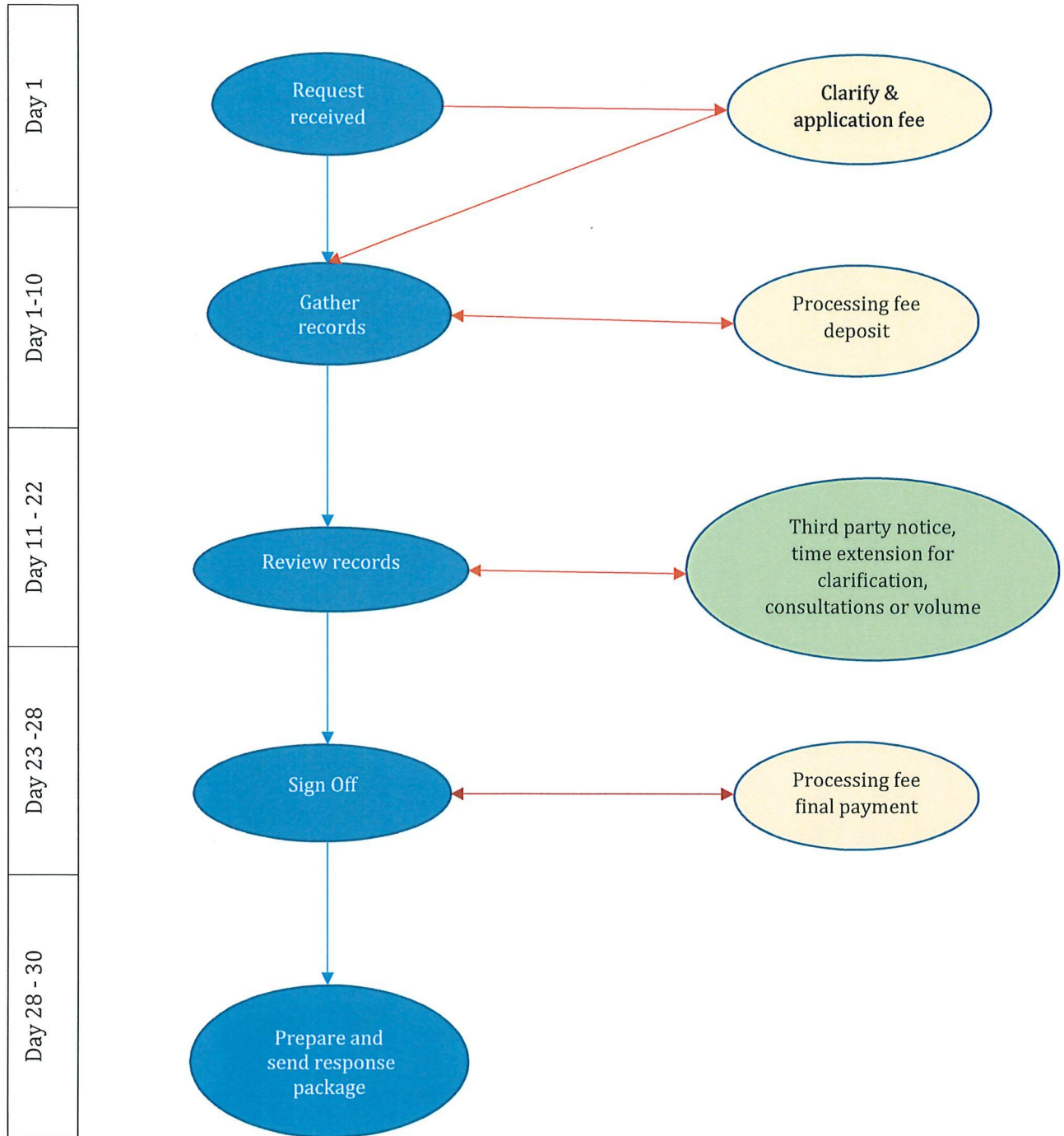
- (e) prescribing requirements to be met with respect to disclosures of information to law enforcement agencies or investigative bodies;
 - (f) prescribing the form and manner of a review pursuant to this Part;
 - (g) prescribing the form and manner of an appeal pursuant to this Part;
 - (h) prescribing any matter that is to be included in a notice that is required pursuant to this Part;
 - (i) prescribing forms for the purpose of this Part;
 - (j) prescribing any other matter or thing required or authorized by this Part or the Freedom of Information and Protection of Privacy Act to be prescribed in regulations;
 - (k) respecting the application, with respect to this Part, of regulations made pursuant to the Freedom of Information and Protection of Privacy Act;
 - (l) defining any word or expression used, but not defined, in this Part;
 - (m) enlarging or restricting the meaning of any word or expression defined in this Part;
 - (n) for any purpose contemplated by this Part;
 - (o) to carry out effectively the intent and purpose of this Part.
- (2) The regulations made pursuant to the Freedom of Information and Protection of Privacy Act apply with respect to this Part with all necessary changes, unless the Governor in Council determines otherwise, by regulations made pursuant to subsection (1).
- (3) A regulation may apply to all persons or bodies, or to a class of persons or bodies, to whom this Part applies and there may be different regulations for different classes of persons.
- (4) The exercise by the Governor in Council of the authority contained in this Section is regulations within the meaning of the Regulations Act. 1998, c. 18, s. 501.

Amendments apply

502 Any amendments to the Freedom of Information and Protection of Privacy Act apply mutatis mutandis to this Part to the extent that they may be made to apply to this Part. 1998, c. 18, s. 502.

Note - The Freedom of Information and Protection of Privacy Act was amended by Chapter 11 of the Acts of 1999 (2nd Session).

Life Cycle of a Typical Access to Information Request



Request Processing Checklist			
Task	Description	Timeline	Done
Review request	<ul style="list-style-type: none"> Clarify if necessary. Check if material is already public and released. (s. 463(1) and (2)) 	Day 1 - 3	
Application fee	<ul style="list-style-type: none"> Ensure fee received for general requests only. 	Day 1	
30 day clock	<ul style="list-style-type: none"> Start the clock (s. 467(2)). 	Day 1	
Acknowledgement letter	<ul style="list-style-type: none"> Send the applicant an acknowledgment letter confirming record requested, explaining where, when and how access will be given (s. 467(1) and (2)). Best practice is to call the applicant to ensure you're communicating well in terms of scope of request, anticipated fees and timelines (s. 467(1)). 	Day 1-2	
Call for records	<ul style="list-style-type: none"> Email copy of record request to all relevant business areas – do not disclose identity of applicant. Within 5 days, follow up with business area to ensure search is progressing. 	Day 1-10	
Processing fee required	<ul style="list-style-type: none"> Determine if more than two hours of searching is required, if so consider whether fee is required (s. 471(2)). Calculate fee if necessary – ensure it is evidence based. Send the applicant a fee deposit request <ul style="list-style-type: none"> advise him/her of the right to request a fee waiver (s. 471(5) and 471(7)) advise him/her of due date for payment (close file if payment not received) advise him/her of the right to request a review of the fee Stop the clock pending payment of the fee deposit if applicable (s. 467(2)). 	Day 1-5	
Review records	<p>Step 1 – Read briefly to ensure that the package is complete, if not, go back to the business areas to ensure response is accurate and complete.</p> <p>Step 2 – Remove exact duplicates.</p> <p>Step 3 – Number the pages of the records and make a clean copy.</p> <p>Step 4 – On your working copy read the package carefully, highlight any portion where an exemption may apply.</p> <p>Step 5 – Determine if any third party consultations are required and if so, send a letter to the third party with a copy of the relevant records to obtain their comment (s. 482).</p> <p>Step 6 – For each exemption considered, review the meaning of the exemption to determine if all requirements of the exemption have been met.</p>	Day 11 - 22	

Request Processing Checklist Cont'd

Task	Description	Timeline	Done
Review records cont'd	Step 7 – for any discretionary exemption applied, determine whether discretion should be exercised in favour of disclosure.	Day 11-22	
Time extension	<ul style="list-style-type: none"> • If the package contains a high volume, requires third party consultations or requires further clarification you may take up to 30 day time extension (s. 469(1)). • If more than 30 days are required, you may request a further time extension from the Information and Privacy Commissioner. • Write to the applicant to advise him/her of any time extension, the reason for the extension and advise the applicant that he/she may complain to the Information and Privacy Commissioner. 	Day 1- 30	
Sign off	<ul style="list-style-type: none"> • Prepare sign off memo explaining exemptions and any recommended exercise of discretion. • Prepare a copy of the records for review by the sign off authority (always keep a copy in your file). • Give due date and follow up. 	Day 23 - 28	
Processing fees	<ul style="list-style-type: none"> • If fees were charged, go back to the program area to confirm the actual search time. • Recalculate the fee to determine the actual fee, compare it with the fee estimate and determine if any further fee payment is require • If a final payment is required, contact the applicant in writing to request final payment. Put the request on hold pending payment. 	Day 23	
Response package	<ul style="list-style-type: none"> • Prepare a response letter to the applicant that satisfies all of the requirements of s. 467(2). • Send the response package to the applicant – keep an exact copy of everything you sent to the applicant. 	Day 28 - 30	
Close file	<ul style="list-style-type: none"> • Close your file once the package has been sent. • Always keep a copy of the original record, the record showing your redactions (if any) and a copy of the actual version released to the applicant. 	Day 30	

TO: Mayor Snow and Members of Council

SUBMITTED BY: Louis Coutinho, Interim Chief Administrative Officer

DATE: January 17, 2024

SUBJECT: INFORMATION REPORT - Deed Transfer Tax

ORIGIN

The purpose of this Information Item is to advise Council on a source of revenue that previous Kentville Town Councils have historically dismissed. It is hoped that our Council will seriously consider this source of revenue to begin building reserves and paying for future infrastructure investment in our Town.

One such revenue generator is the Deed Transfer Tax. In Canadian municipal governments, the deed transfer tax provides a source of revenue that can be used to fund local infrastructure projects, public services and other community needs. It is a way to generate revenue from real estate transactions contributing to financial sustainability and invest towards the infrastructure health of the Town.

LEGISLATIVE AUTHORITY

The legislative and enabling authority is under Sections 102, 103 and 104 of the Municipal Government Act (MGA).

Deed transfer tax by-law

102 (1) A council may determine, by by-law, that a deed transfer tax applies in the municipality and the rate of the deed transfer tax, but the rate of the deed transfer tax shall not exceed one and one half per cent of the value of the property transferred.

(2) A deed transfer tax applies to the sale price of every property that is transferred by deed. 1998, c. 18, s. 102.

Apportionment of deed transfer tax

103 Where only part of a property is within a municipality, the deed transfer tax applies to that part of the value that is apportioned by the Director of Assessment to the part of the property within the municipality, and the decision of the Director of Assessment on such apportionment is final. 1998, c. 18, s. 103.

Deed transfer tax payment

104 The deed transfer tax shall be paid by the grantee named in the deed within ten days of the transfer. 1998, c. 18, s. 104.

BACKGROUND

Previous Councils have debated this issue and rejected implementation of the tax. This report is intended to give Council some facts on the benefits of this new revenue source and how it will help build our reserves as well as offsetting some operational costs.

The Town of Kentville is on the verge of impending development and growth and will require significant investment by the town for a number of infrastructure improvements and future

maintenance of these assets. These will have to be partially or fully funded by the Town through its own reserves and funds. Currently, the bulk of the Town's revenues are generated from commercial and residential taxes.

Deed Transfer Tax is a revenue tool that is widely used by Provincial and Municipal Governments to generate user fee revenue related to the purchase and sale of real property. With all of the new development being considered within Town boundaries and potentially a flux of new residents moving into Town, the Deed Transfer Tax (DTT) is a one-time tax, sourced and applied at the time of purchase and sale of new properties. On a municipal level, DTT revenues supplement property tax revenues and fund municipal programs and services. It can also be used (if Council chooses) to build its infrastructure reserves particularly capital related to streets, roads and underground infrastructure.

Who is using DDT in Nova Scotia?

Members of Council should know that other than Kings County and the Town of Kentville, every other municipality in Nova Scotia is collecting the Deed Transfer Tax and the additional revenues are a significant resource to their coffers. Perhaps the largest municipality next to us can afford not to access this fund but all the Towns in Kings County collect a Deed Transfer Tax. Appendix A (attached) is a list of every municipality in Nova Scotia and the percentage amount they are collecting. This information was recently updated and obtained from Provincial data online. You will note many municipalities are collecting the maximum allowed in the MGA Act which is one and one half (1.5%) percent of the value of the property which is transferred by deed.

DTT is payable on transactions where the following criteria are met: 1. There is a "deed"; 2. The "deed" is sufficient to convey an interest in real property; 3. The "deed" is given pursuant to a sale and the transfer is taxable when there is a sale for valuable consideration; and 4. The deed transfer tax is calculated pursuant to the by-law as described in the deed transfer affidavit of value which is normally submitted with the deed. From a home buyer perspective, DTT is typically collected by the home buyer's lawyer on closing and remitted to the Land Registry, operated by Service Nova Scotia, when the property deed is filed and registered. The Land Registry subsequently remits the revenue to the appropriate municipalities on whose behalf the revenue is collected. You will note that the Land Registry Office located in Kentville is collecting DTT from all of the Towns in the County of Kings except from Kentville and the County of Kings.

DISCUSSION

Our Town and Kings County municipality are the only two municipalities not availing ourselves of this legitimate tool for revenue generation allowed for in the MGA. DTT is often viewed negatively by *homebuyers* as there is no municipal service related to the tax and it increases real estate transaction costs. Councillors have been lobbied by property agents and companies with the argument that this adds a cost to the sale of homes. This has generally been why Councils may have backed down on implementing such a reasonable tax source. However, what property agents fail to balance when they lobby Councils is that their real estate fees (ranging roughly from 4 to 7% or higher) are not a deterrent to people buying homes. They do have to make a living but so does the Council have to ensure that the general tax rate is managed by seeking alternate sources of revenue. Some

critics of DTT have expressed a view that it should be discontinued in towns and municipalities where they currently exist and the revenue loss to be covered through the general tax rate, where the tax burden is borne by all taxpayers, not just purchasers of real property. Some have argued that the Deed Transfer Tax will result in people going to live in another municipality. That is a weak argument given that every town and municipality in Nova Scotia except for Kentville and Kings County use this source of revenue. As an example, HRM has been addressing some matters arising out of the DTT and they note that there is little research to suggest DTT impedes market growth or is a barrier to entry into the real estate market. I note these arguments for Council's consideration as Council has to weigh what is in the best interests of our community and how this establishes new and sustainable revenue sources.

A conservative estimate of how much revenue could be generated for our Town based on real estate transactions over the past few years is \$650,000 annually if we access the full 1.5% allowed by legislation.

POLICY IMPLICATIONS

Council will have to develop a bylaw if this is an avenue it wishes to choose. There are many examples of Deed Transfer Tax bylaws from several municipalities that can be used as a template for developing ours. Appendix B has three examples of existing bylaws – one from West Hants, one from Colchester and one from the Town of Wolfville.

Enactment of such a policy is simple and staff can have this prepared and brought forward when Council is ready to consider it.

BUDGET IMPLICATION

Implementation of a Deed Transfer Tax would result in a revenue addition, which can offset costs currently reliant solely through the general tax levy. Operating cash flows would also be positively impacted. Alternatively, funds from DTT could be set aside in a reserve funds for the future growth and development needs of the Town.

The implementation of the Deed Transfer Tax will add approximately \$650,000 dollars to the Towns revenue base that does not have to come at the expense of residential or commercial tax bases.

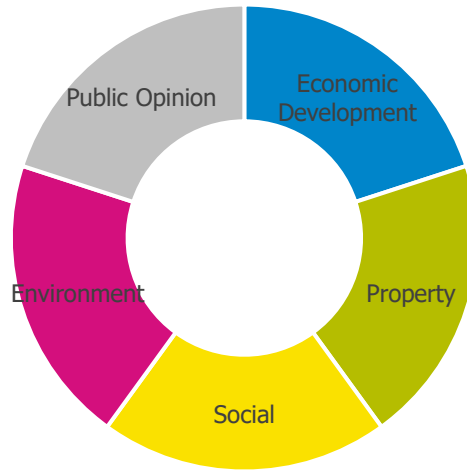
ATTACHMENTS

- Appendix A Deed Transfer Tax Stats showing Lost Revenue Opportunity
- Appendix B Samples of Deed Transfer Tax Bylaws (West Hants, Wolfville and Colchester)

RECOMMENDATION

This is an Information Report; however, Council may wish to direct staff to bring back further information or direct staff to bring back a report (and this report) to a future CAC meeting for discussion and recommendation.

Town of Kentville Balanced Decision Making



Appendix A

DEED TRANSFER FEE REVENUE PROJECTION

FISCAL YEAR	SALES IN ASSESSMENT		PROJECTED
	DOLLARS (OVER \$1)	# of Property Sales	REVENUE 1.50%
5 YEAR AVERAGE 2019 to 2023	52,201,884	164	783,028
2023-2024 *	35,787,450	92	536,812
2022-2023	56,866,669	142	853,000
2021-2022	79,299,450	210	1,189,492
2020-2021	53,150,687	177	797,260
2019-2020	41,530,019	145	622,950
2018-2019	30,162,594	144	452,439

* represents April to December 2023

Prior Fiscal Year Data

2017-2018	38,318,020	574,770
2016-2017	22,042,137	330,632
2015-2016	16,437,126	246,557
2014-2015	28,271,318	424,070
2013-2014	32,647,802	489,717
2012-2013	23,654,360	354,815
2011-2012	22,946,567	344,199
2010-2011	34,515,647	517,735
2009-2010	20,986,546	314,798
2008-2009	20,403,690	306,055
2007-2008	26,956,000	404,340
2006-2007	28,817,138	432,257
2005-2006	37,169,594	557,544
2004-2005	15,522,362	232,835
2003-2004	13,573,412	203,601
2002-2003	10,602,982	159,045
2001-2002	7,208,322	108,125
2000-2001	4,680,695	70,210
1999-2000	12,987,837	194,818
1998-1999	7,953,058	119,296
1997-1998	8,858,110	132,872

DEED TRANSFER TAX BY-LAW

1. TITLE

This By-law shall be cited at the Deed Transfer Tax By-law.

2. DEFINITION

In this By-law "Region of Windsor and West Hants Municipality" means the Municipality incorporated by the *Region of Windsor and West Hants Municipality Act*, SNS 2018, c.26, irrespective of whether it has had its name changed by virtue of Section 11 of that Act or otherwise.

3. BY-LAW

- a. A deed transfer tax shall apply to properties in the Region of Windsor and West Hants Municipality, effective on and after April 1, 2020.
- b. The amount of the deed transfer tax shall be the sum of one and one half per cent (1.5%) of the sale price or value of the property.
- c. Section 3 Interpretations and Part V Deed Transfers of the *Municipal Government Act*, R.S.N.S. 1998, c. 18 shall apply to deed transfers.
- d. For the purposes of this By-law, "persons married to one another" shall include those who have entered into a domestic partnership declaration and have registered such declaration in accordance with Part II of the *Vital Statistics Act*, R.S.N.S. 1989, c. 494
- e. Pursuant to Section 110 of the *Municipal Government Act* R.S.N.S 1998, c. 18, the Registrar of Deeds is hereby appointed as the agent and collector of the deed transfer tax and has all the powers of the treasurer pursuant to Part V of the *Municipal Government Act*, R.S.N.S.1998, c. 18.

4. REPEAL

- a. By-law 30 Deed Transfer Tax By-law of the Town of Windsor dated August 28, 2007, and all previous such by-laws are hereby repealed on the effective date.
- b. D-002 Deed Transfer Tax By-law of the Municipality of the District of West Hants dated September 14, 2004 as amended on March 8, 2016 and July 10, 2018, and all previous by-laws are hereby repealed on the effective date.

5. EFFECTIVE DATE

- a. This By-law shall be effective on April 1, 2020.

DEED TRANSFER TAX BY-LAW

I, Rhonda Brown, Municipal Clerk of the Region of Windsor and West Hants Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the Region of Windsor and West Hants Municipality at a meeting duly called and held on the **23rd** day of **June, 2020**.



R. N. Brown
Municipal Clerk

By-Law Adoption	
First Reading:	May 28, 2020
Notice Published:	June 6, 2020
Second Reading & Approval	June 23, 2020
Final Publication	June 27, 2020
Notice to Municipal Affairs	June 29, 2020
Description: Initial approval of Deed Transfer Tax By-law, RD-001.	

Chapter 34

Deed Transfer Tax By-Law

RESOLVED THAT Chapter 34 of the By-Laws of the Municipality in the County of Colchester, "Municipal Land Transfer Tax By-Law", be and is hereby repealed and the following substituted therefore:

1. This By-Law shall be known as the "Deed Transfer Tax By-Law."
2. A deed transfer tax applied in the Municipality on terms identified in the Municipal Government Act, SNS 1998, c. 18, s. 101- s. 110, or in successor legislation as may be enacted from time to time.
3. The rate of the deed transfer tax in the Municipality is and shall be one percent of the value of the property transferred.
4. Council may from time to time by resolution change the rate of the deed transfer tax in the Municipality provided the deed transfer tax does not exceed one and one half per cent of the value of the property being transferred.

THIS IS TO CERTIFY, that By-law #34, Deed Transfer Tax By-law was duly approved at a duly called meeting of the Municipal Council of the Municipality of the County of Colchester, duly convened on the 30th of April, A.D., 2009.

GIVEN under the hand of the Municipal Clerk and under the corporate seal of said Municipality this 12th day of January, A.D., 2010.

Dan McDougall

Municipal Clerk

Town of Wolfville
Bylaw Ch67
Deed Transfer Tax Bylaw

1. Title

This bylaw shall be known as bylaw 67 and may be cited as the Deed Transfer Tax Bylaw.

2. References

2.1 Nova Scotia Municipal Government Act (NS MGA)

2.2 Policy 140-015, Municipal Fees Policy

3. Definitions

3.1 In this Bylaw:

(1) **'Clerk'** is the Town Clerk for the Town of Wolfville

(2) **'Mayor'** is the Mayor of the Town of Wolfville

4. Bylaw:

4.1 The Municipal Government Act, Sections 102 to 110 inclusive, apply to the Town of Wolfville.

4.2 The rate of the deed transfer tax is outlined in Policy 140-015, Municipal Fees Policy.

4.3 As per Section 169 of the Municipal Government Act, the Bylaw will have the force of law upon the publication of a notice in a newspaper circulating in the municipality stating the object of the Bylaw and the place where it may be read.

5. Repeal Section:

Chapter 67, Town of Wolfville Deed Transfer Tax Bylaw passed by Town Council on May 20, 2003 is repealed upon publication of this Bylaw under Section 169(2) of the Municipal Government Act.

Town of Wolfville
Bylaw Ch67
Deed Transfer Tax Bylaw

Clerk's Annotation for Official Bylaw Book

Date of first reading: 2017-09-19

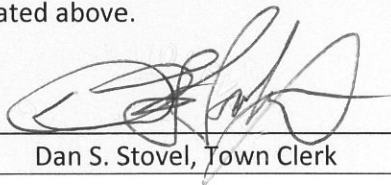
Date of advertisement of Notice of Intent to Consider: 2017-09-26

Date of second reading: 2017-10-17

Date of advertisement of Passage of Bylaw: 2017-10-24

Date of mailing to Minister a certified copy of Bylaw: 2017-10-25

I certify that this **Deed Transfer Tax Bylaw 67** was adopted by Council and published as indicated above.



Dan S. Stovel, Town Clerk

2017-10-25

Date

TO: Mayor Snow and Members of Council

SUBMITTED BY: Louis Coutinho, Interim Chief Administrative Officer

DATE: January 19, 2024

SUBJECT: Report on Legal Expenses

ORIGIN

At the November 2023 meeting of Council, it was noted that legal costs had far exceeded the budgeted amount. Council asked for a report on legal expenses.

LEGISLATIVE AUTHORITY

MGA Section 31(1)(e) states that the Chief Administrative Officer shall carry out such additional duties and exercise such additional responsibilities as the council may, from time to time, direct.

BACKGROUND

At the CAC meeting on 08 January 2024 staff sought clarification from Council on how it wanted to receive the report on legal expenses. It was suggested that we provide Council information in a manner that is more indicative of where the expenses occurred. Council was agreeable with the format suggested but also requested information be provided segregated by department.

DISCUSSION

Council wants to be transparent about legal expenses and a detailed breakdown is provided while ensuring we keep within the legal constraints imposed by FOIPOP rules as defined in the MGA. An Information Report on FOIPOP was written for the Council that outlines the requirement to provide transparency on any matter while ensuring that there is no infringement of the boundaries established within the legislation.

With respect to legal expense reports, the categories listed below were recommended. There may be other categories other than what we have noted below which apply and staff will take direction on how Council wishes to see legal expense reports given to you.

The largest expense is attributed to general governance and litigation costs and as such the expenses would fall under Administration which includes the CAO, Council and FOIPOP offices.

Legal Fees by Category

Contracts (Leases, CAO recruitment)	\$ 6,143
General Governance (Council, policies, FOIPOP)	\$ 23,618
Labour (HR matters, code of conduct, terminations)	\$ 76,235
Legal Counsel Fees (Opinions general)	\$ 8,727
Litigation Costs (Court preparation, lawsuits, prosecution)	\$ 41,665
Regulatory Compliance (UARB, Bylaws, Appeals related to bylaws)	\$ 66,860
<i>Total Legal Fees Expense from 01 April 2023 to Dec 31, 2023</i>	\$ 223,248

Legal Fees Broken Down By Department

Administration (CAO, Council, FOIPOP)	\$ 141,248
Public Works	\$ 3,922
Planning Department	\$ 69,816
Economic Development	\$ 4,645
Recreation	\$ 0
Police	\$ 3,617
Total Legal Fees by Department	\$ 223,248

POLICY IMPLICATIONS

Council may request other categories if the ones provided are not adequate for your purpose. The Audit Committee of Council may wish to review our process for transparency around legal expenses. In the interim, perhaps a report to Council on a quarterly basis under the categories provided above will be the norm until Council directs otherwise.

BUDGET IMPLICATION

Total funds budgeted for legal expenses across all departments for 2023 – 2024 was \$149,000. As at December 31, 2023 we are over budget by about \$75,000 much of it related to labour expenses.

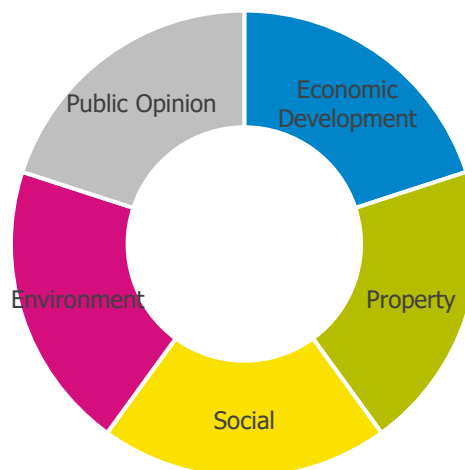
ATTACHMENTS

Appendix A Legal Expenses by Category

RECOMMENDATION

It is recommended the Audit Committee examine our process for reporting legal expenses and provide some guidelines to Council for future reporting requirements.

Town of Kentville Balanced Decision Making



Town of Kentville
Legal fees
2023-2024 Fiscal Year
As at December 31, 2023

Category by Legal Matter	Administration	Police	Planning	Economic Development	Engineering Public Works	Total
Contracts	498		1,035	4,610		6,143
General Governance	23,618					23,618
Labour	76,235					76,235
Legal Counsel	4,841		3,744		142	8,727
Litigation	34,233	3,617		35	3,780	41,665
Regulatory Compliance	1,823		65,037			66,860
Grand Total	141,248	3,617	69,816	4,645	3,922	223,248

TO: Mayor Snow and Members of Council

SUBMITTED BY: Louis Coutinho, Interim Chief Administrative Order

DATE: January 19, 2024

SUBJECT: Consideration for the request for the Cornwallis Street sign

ORIGIN

In January 2024 a request was received from the Kentville Historical Society for the Cornwallis Street sign that was taken down in the celebration of renaming the street to Bridge Street.

LEGISLATIVE AUTHORITY

The MGA Section 31(2)(d)(ii) states that subject to policies adopted by Council, the chief administrative officer (CAO) may...

(ii) sell personal property belonging to the municipality that, in the opinion of the chief administrative officer, is obsolete, unsuitable for use, surplus to requirements of, or no longer needed by, the municipality...

BACKGROUND

The Cornwallis name has stirred up many emotions and has affected people going back to the 1700s. Over the past four years there have been many representations and committees working to try and address the historical grievances of the Mi'kmaq and indigenous people. Town Council took the step to change the name of the street following the work of staff, a street naming committee and many other stakeholders. On January 09, 2024 a Street Renaming & Reconciliation Ceremony was held and was well attended by the First Nations peoples, many people and the Mayor and Members of Council. Requests were received through several councilors to reserve the sign for the Kentville Historic Society who asked for it.

DISCUSSION

Any Town sign whether it is parking sign, traffic control sign or street name in Kentville is routinely replaced if damaged or faded. Normal practice, if a sign cannot be refurbished or reused, is to destroy it.

When the Cornwallis Street name was changed, the Kentville Historical Society, through requests to members of Council asked for the sign to be gifted to them. Councillors appear to be in agreement to either gift or loan it to the Society.

The Cornwallis name is a symbol of controversy in Nova Scotia and right across the country. If the sign is loaned to the Historical Society there should be conditions on how it is used and displayed to accurately represent what this Council intended with its removal. Perhaps it should only be displayed if it records that this Council made the unanimous decision to rename Cornwallis Street as Bridge Street as an act of reconciliation with our indigenous communities. The sign belongs to the Town, and the Town has determined that Cornwallis is a name that evokes emotional pain and is offensive

to many people, and therefore the sign should NEVER be used to honour the Cornwallis name. Loaning it gives Council future control to recall it for any reasons that it may deem necessary.

POLICY IMPLICATIONS

There is no policy governing the disposal of assets in the Town and that responsibility therefore lies with the CAO under MGA Section 31(2)(d)(ii)

BUDGET IMPLICATION

If the recommendation is approved, there will be a cost estimated around \$1,500 to do this.

ATTACHMENTS

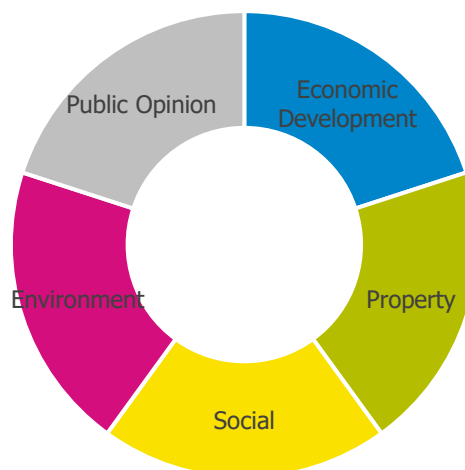
None

RECOMMENDATION

It is recommended that Council loan the sign already pre-framed with the appropriate written representation of all the reasons for renaming the street in reconciliation and celebration with the Indigenous People. This assures history records correctly the Council's intent.

Alternatively, one option is destruction of the sign because it is a divisive symbol that evokes emotional pain and endless debates which this Council has already put to bed.

Town of Kentville Balanced Decision Making





Budget Presentation

2024-2025 Budget
2023-2024 Forecast
Operating and Capital



Kings Transit
Authority

OPERATIONS FUNDING OVERVIEW

Kings Transit Authority

Municipal Contributions

Operating Grants

			2023-2024 Forecast		2024-2025
			Budgeted Funding	(Surplus) / Deficit	Budgeted Funding
Core Partners	Municipality of Kings	60%	975,406	(51,243)	1,037,462
	Town of Kentville	20%	325,135	(17,081)	345,821
	Town of Wolfville	15%	243,851	(12,811)	259,365
	Town of Berwick	5%	81,284	(4,270)	86,455
		100%	1,625,676	(85,406)	1,729,103
Service Partners	Annapolis County	Actual	656,003	49,824	814,534
	Digby County	Costs	340,333	11,008	385,496
			996,336	60,832	1,200,030

2025 budget represents an overall increase of 6.4% to Core, 24.2% to Annapolis and 13.3% to Digby vs 2024 budget.

PROPOSED CONTRIBUTION SCHEDULE

Kings Transit Authority

Municipal Contributions

Proposed Operating Grant Schedule

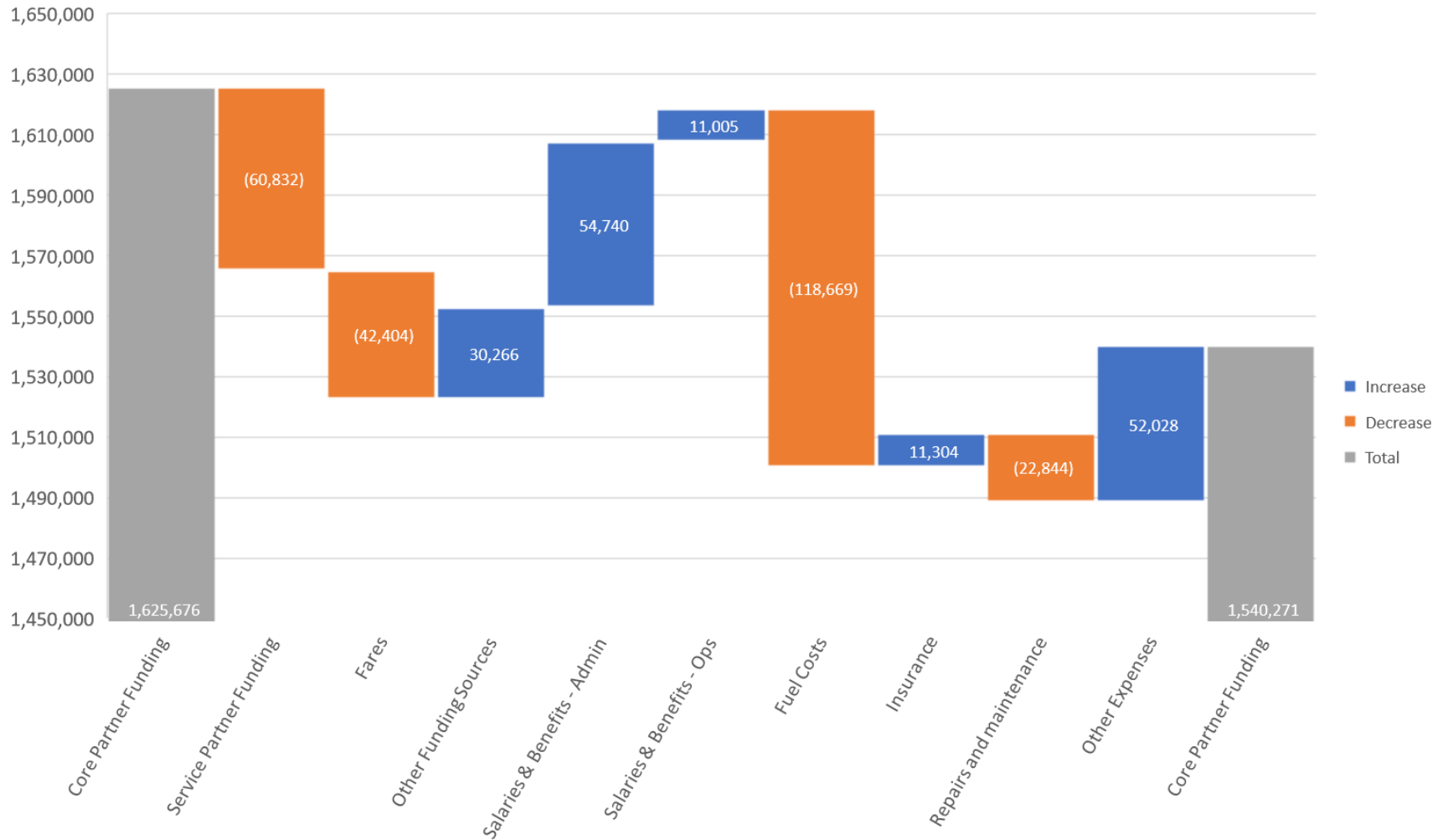
			Q1	Q2	Q3	Q4	Total
Core Partners	60%	Municipality of Kings	414,985	311,238	155,619	155,619	1,037,462
	20%	Town of Kentville	138,328	103,746	51,873	51,873	345,821
	15%	Town of Wolfville	103,746	77,810	38,905	38,905	259,365
	5%	Town of Berwick	34,582	25,937	12,968	12,968	86,455
			691,641	518,731	259,365	259,365	1,729,103
Service Partners		Annapolis County	each month	67,878			814,534
		Digby County	each month	32,125			385,496

Municipal Contributions

Proposed Operating Grant Worksheet

		Q1	Q2	Q3	Q4	Total
Core Partners	External Funded Revenue	532,709	548,856	551,109	555,171	2,187,845
	Expenses	991,610	890,695	996,569	958,074	3,836,948
	Net Surplus (Deficit)	(458,901)	(341,839)	(445,460)	(402,903)	(1,649,103)
	Estimated Loss Ratios	27.8%	20.7%	27.0%	24.4%	100.0%
	Suggested Ratios to Use	40.0%	30.0%	15.0%	15.0%	100.0%

Change in Municipal Operations Partner Funding - Budget 2024 to Forecast 2024



F24 TO B24 VARIANCES

Net Surplus of \$85,405 forecasted - 5.3% of 2024 budget

- Fuel 119K - price not volume driven
- Service partner funding 61K - Annapolis 50K / Digby 11K
- Fare revenues 42K - ridership higher than expected
- Other expenses (63K) - insurance 11K / IT 28K / travel 8K / professional services 14K
- Employee compensation (28K)

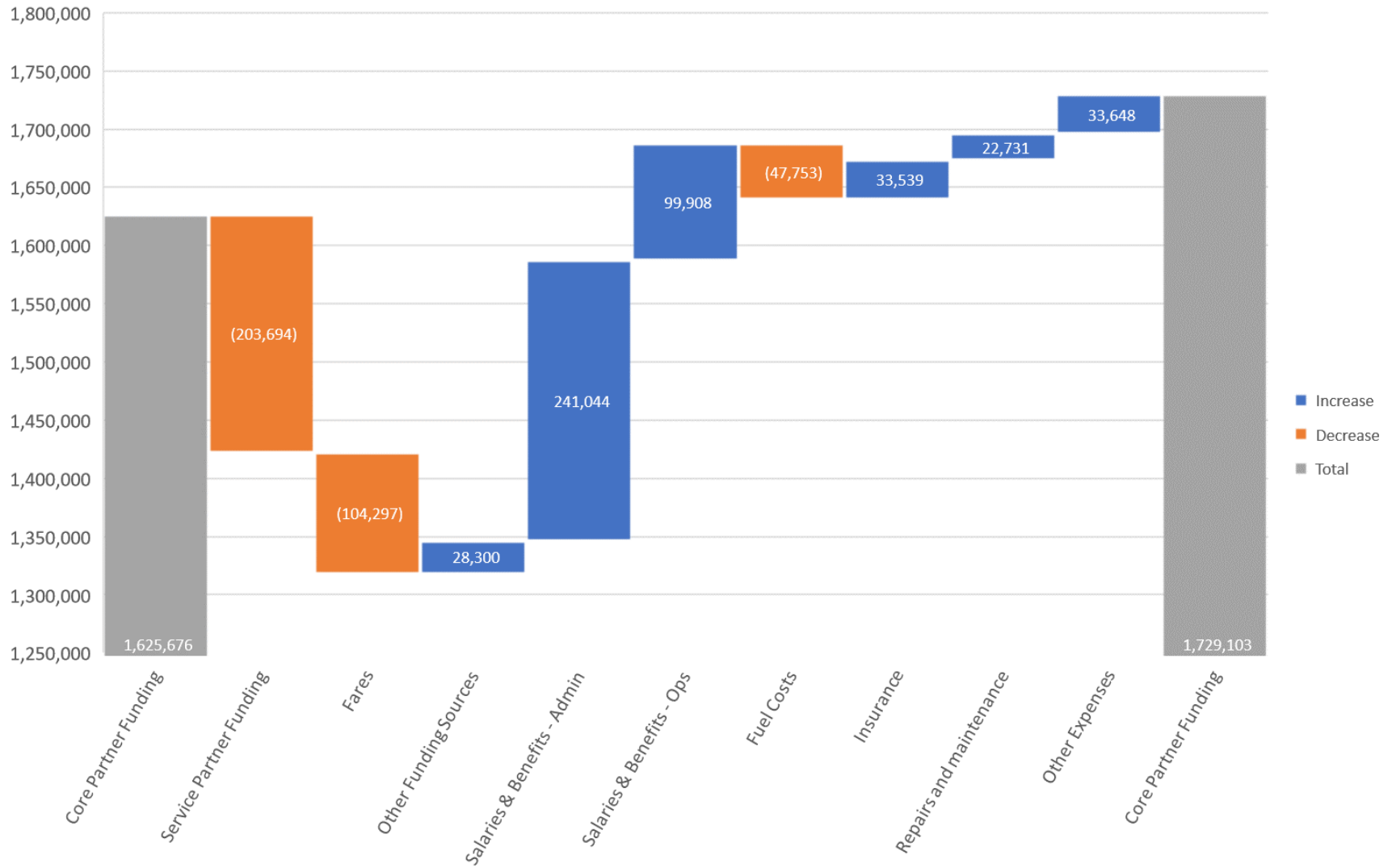
Training Manager missed in last year's budget

Additional mechanic hired in Q3

Annapolis / Digby mechanic labour not accounted for properly in 2024 budget

Full time GM not hired; Dwight part time / Director of Finance hired in Q3

Change in Municipal Operations Partner Funding - Budget 2024 to Budget 2025



B25 TO B24 VARIANCES

Requesting 6.4% increase to funding from Core

- Fuel 48K – anticipating average price of \$1.65 net of HST rebate
- Service partner funding 204K – Annapolis 159K / Digby 45K
- Other funding sources (28K) – advertising & PNS grant
- Fare revenues 104K – ridership increase continues
- Bus repairs and maintenance (23K) – older buses require more repairs, scarcity of parts increasing prices more than cost of living
- Other expenses (67K) - insurance costs +10% / IT – M365 / professional services 26K (recruiting, legal & audit)
- Employee compensation (341K)

GM & Dir. of Finance offer increases +45K (market driven)

Cost of living increase 5.3%

+2.5 FTEs – Training Manager, additional Mechanic and part time Operations Supervisor

Annapolis / Digby mechanic labour not accounted for properly in 2024 budget

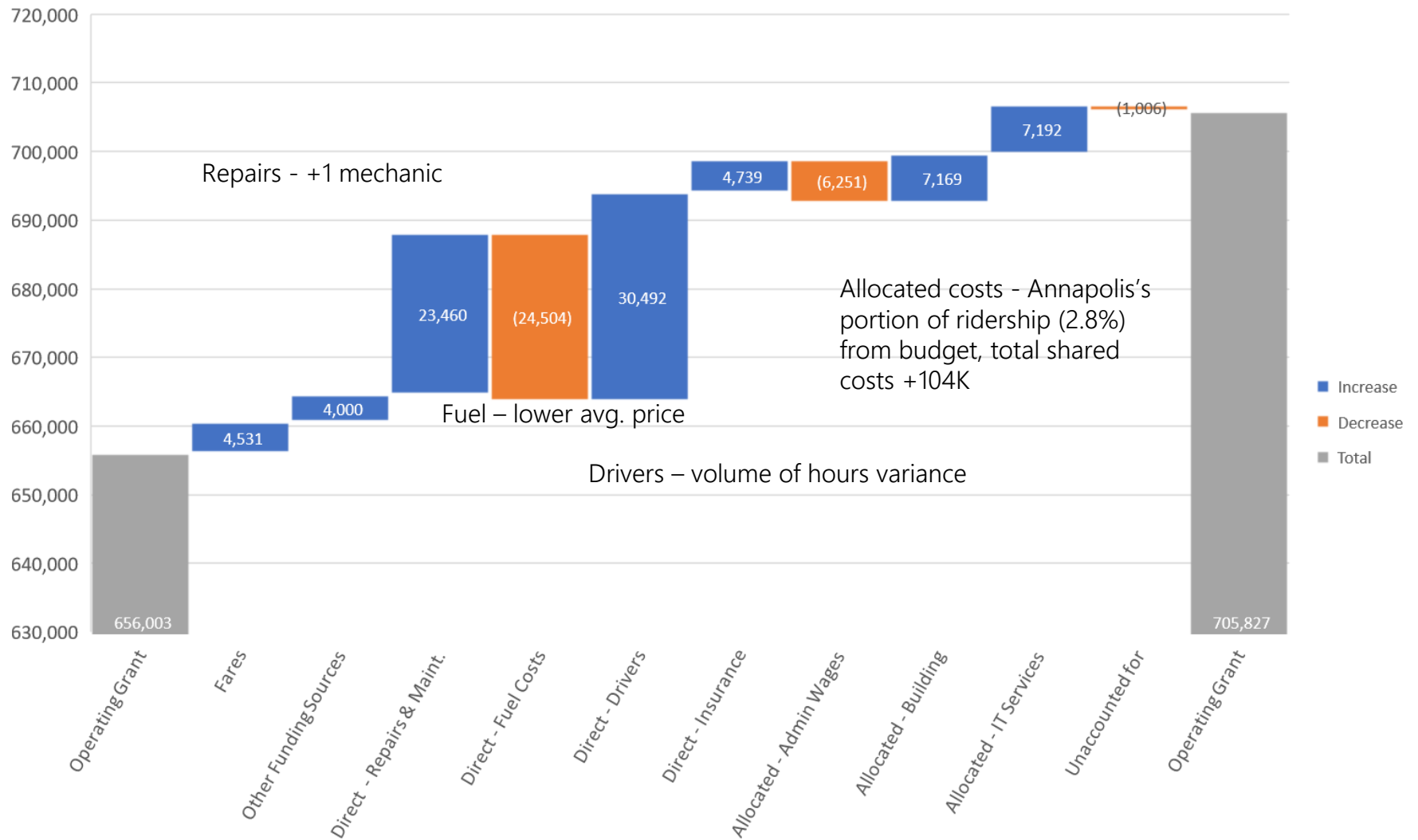
Kings Transit Authority

Statement of Revenues and Expenditures

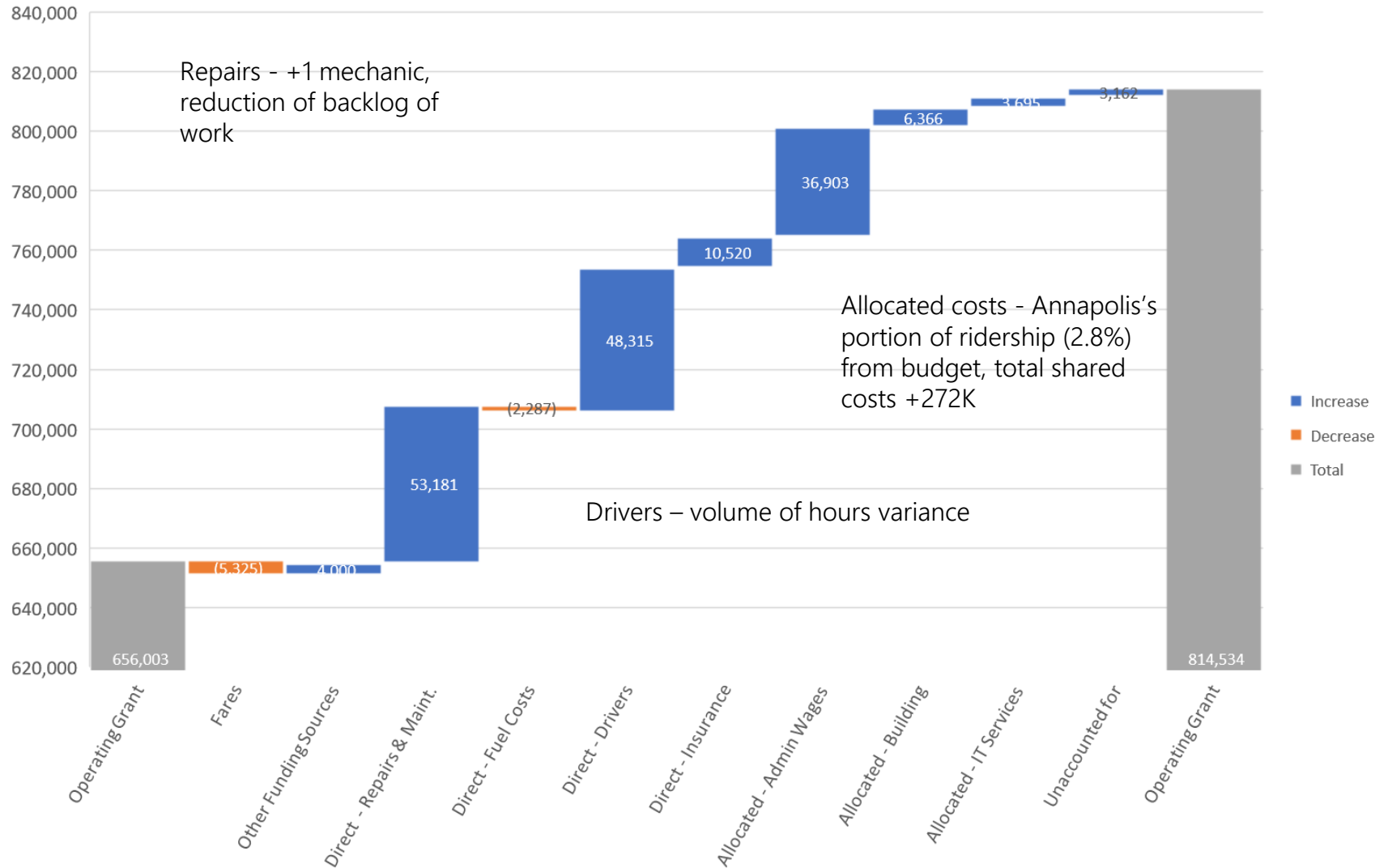
Operating Budget

	2024-2025 Budget	2023-2024 Forecast	2023-2024 Budget	2022-2023 YE Actuals
Revenues	Fares	898,815	836,922	794,518
	Advertising income	9,000	7,134	15,000
	Operating grants PNS	-	-	22,000
	Operating grants core members	1,729,103	1,625,676	1,625,676
	Operating grants service partners	1,200,030	1,057,168	996,336
	Gain/loss from sale of capital assets	-	8,572	-
	Other revenues	-	(8,672)	300
	3,836,948	3,526,799	3,453,830	3,172,649
Expenses	Salaries - administration	675,644	489,340	434,600
	Salaries - operations	1,510,388	1,421,485	1,410,480
	Fuel	713,047	642,131	760,800
	Insurance	213,539	191,304	180,000
	Repairs and maintenance	347,731	302,156	325,000
	Allocated shared costs	360,767	296,140	226,062
	Cost recovery - Annapolis	(238,733)	(195,966)	(166,593)
	Cost recovery - Digby	(122,034)	(100,173)	(59,469)
	Administrative	376,598	394,978	342,950
	3,836,948	3,441,393	3,453,830	3,172,649
Net Surplus		-	85,405	-

Change in Annapolis Service Partner Funding - Budget 2024 to Forecast 2024



Change in Annapolis Service Partner Funding - Budget 2024 to Budget 2025



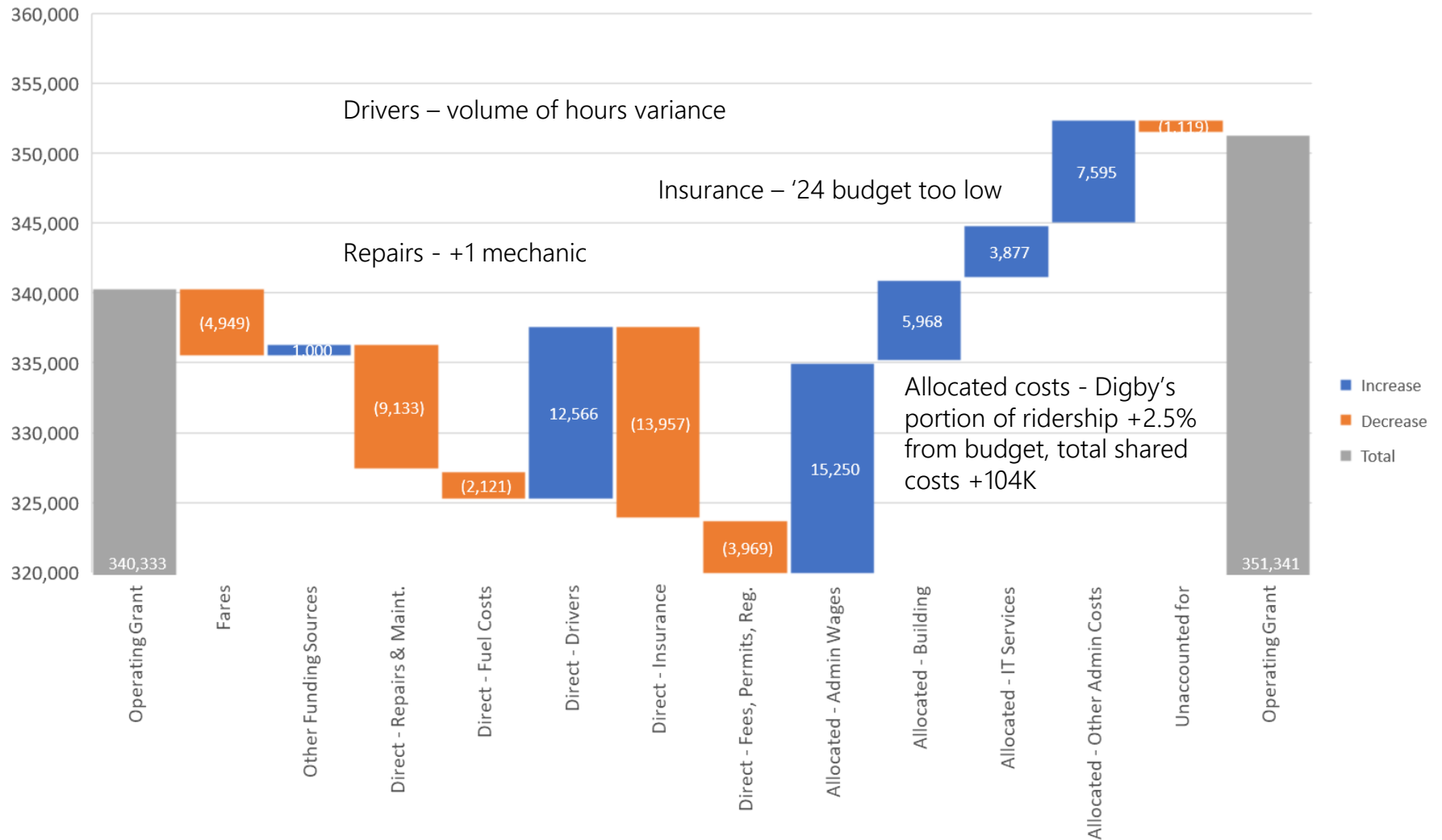
Kings Transit Authority

Statement of Revenues and Expenditures

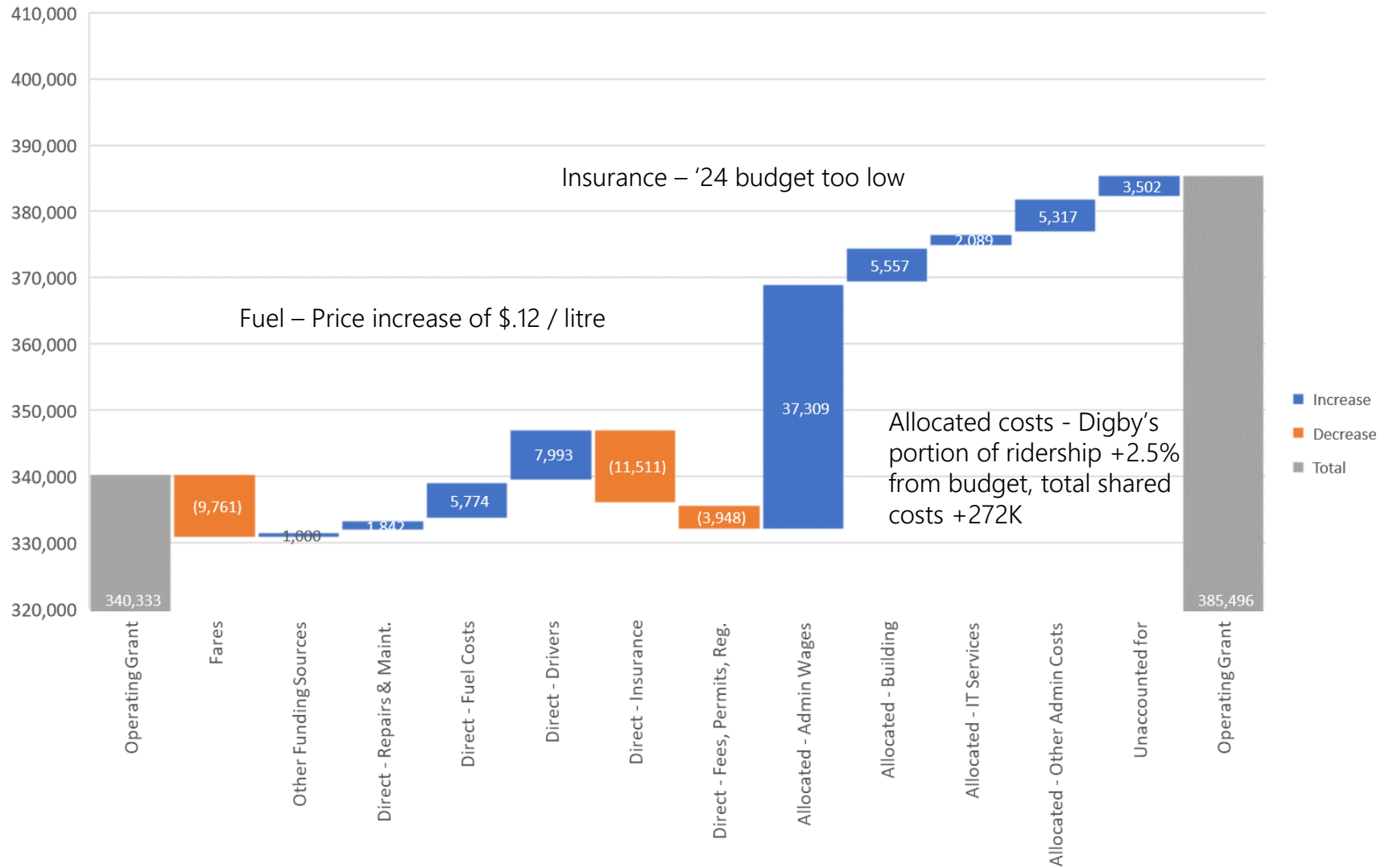
Budget - Annapolis

	2024-2025 Budget	2023-2024 Projection	2023-2024 Budget
Revenue	Fares	161,595	151,739
	Advertising income	-	4,000
	Operating grants PNS		
	Operating grants core members		
	Operating grants service partners	814,534	705,827
	Other revenues		656,003
	976,128	857,566	816,273
Expenses	Salaries - administration		
	Salaries - operations	303,195	285,372
	Fuel	212,513	190,296
	Insurance	55,520	49,739
	Repairs and maintenance	153,181	123,460
	<i>Allocated shared costs</i>	<i>238,733</i>	<i>195,966</i>
	<i>Cost recovery - Annapolis</i>		
	<i>Cost recovery - Digby</i>		
	Other expenses	12,986	35,000
	976,128	857,566	816,273
Net Surplus	-	-	-

Change in Digby Service Partner Funding - Budget 2024 to Forecast 2024



Change in Digby Service Partner Funding - Budget 2024 to Budget 2025



Kings Transit Authority

Statement of Revenues and Expenditures

Budget - Digby

	2024-2025 Budget	2023-2024 Projection	2023-2024 Budget
Revenue	Fares	83,507	78,695
	Advertising income		73,746
	Operating grants PNS		1,000
	Operating grants core members		
	Operating grants service partners	385,496	351,341
	Other revenues		340,333
	469,003	430,036	415,079
Expenses	Salaries - administration		
	Salaries - operations	140,153	144,726
	Fuel	110,774	102,879
	Insurance	23,489	21,043
	Repairs and maintenance	51,842	40,867
	Allocated shared costs	122,034	100,173
	Cost recovery - Annapolis		59,469
	Cost recovery - Digby		
	Other expenses	20,710	20,347
	469,003	430,036	415,079
Net Surplus			
	-	-	-

CAPITAL BUDGET

Kings Transit Authority

Multi-year Capital Budget

	2023-2024 Budget	2023-2024 Projection	2024-2025 Budget	2025-2026 Budget	2026-2027 Budget
Capital					
ICIP phase 1 - transit study	200,000	200,000	-	-	
Rural Transit Fund	1,000,000	50,000	500,000	450,000	-
Project management	50,000	-	30,000	20,000	-
Electronic vehicle infrastructure	5,000,000	-	5,000,000	5,000,000	1,957,807
Equipment	25,000	15,000	50,000	50,000	50,000
Building, office equipment	80,000	-	50,000	50,000	50,000
	6,355,000	265,000	5,630,000	5,570,000	2,057,807

Kings Transit Authority

Capital Funding Source

	2024-2025 Budget	Replacement Reserve	Government of Canada	ICIP
Capital				
ICIP phase 1 - transit study	-	-		
Rural Transit Fund	500,000		500,000	
Project management	30,000	30,000		
Electronic vehicle infrastructure	5,000,000			5,000,000
Equipment	50,000	50,000		
Building, office equipment	50,000	50,000		
	5,630,000	130,000	500,000	5,000,000

CAPITAL BUDGET

Capital Replacement Reserve

- Current value \$1,837,339

Kings Transit Authority

Municipal Contributions

Capital Grants

2023-2024 Projection

2024-2025

			Quarterly Funding	Predicted Year End True-up	Annual Total	Annual Total
Core Partners	Municipality of Kings	60%	48,000	-	192,000	192,000
	Town of Kentville	20%	16,000	-	64,000	64,000
	Town of Wolfville	15%	12,000	-	48,000	48,000
	Town of Berwick	5%	4,000	-	16,000	16,000
		100%	80,000	-	320,000	320,000
Service Partners	Annapolis County		n/a			n/a
	Digby County		n/a			n/a
			-	-	-	-



Budget Presentation

FY 2024-2025

Operating and Capital Budget

BUDGET OVERVIEW

Valley Region Solid Waste-Resource Management Authority

Total Contributions from Municipal Parties

		2024-2025 Budget	2023-2024 Forecast Before True-Up	2023-2024 Projected True-Up ¹	2023-2024 Budget	2022-2023 Actuals
73.40%	Municipality of Kings	5,035,156	4,860,472	(1,016,828)	4,860,472	4,637,558
10.33%	Town of Kentville	708,444	683,866	(143,067)	683,866	625,101
9.85%	Town of Wolfville	675,804	652,358	(136,476)	652,358	516,871
3.08%	Town of Berwick	211,137	203,812	(42,638)	203,812	219,561
2.03%	Town of Middleton	139,387	134,551	(28,149)	134,551	155,499
1.31%	Town of Annapolis Royal	89,638	86,528	(18,102)	86,528	65,310
		6,859,565	6,621,586	(1,385,259)	6,621,587	6,219,900

¹ this does not include the impact of year end audit entries and Chester landfill adjustments

Budget represents an overall increase of \$238,978 or 3.59% to municipal parties compared to this year's budget

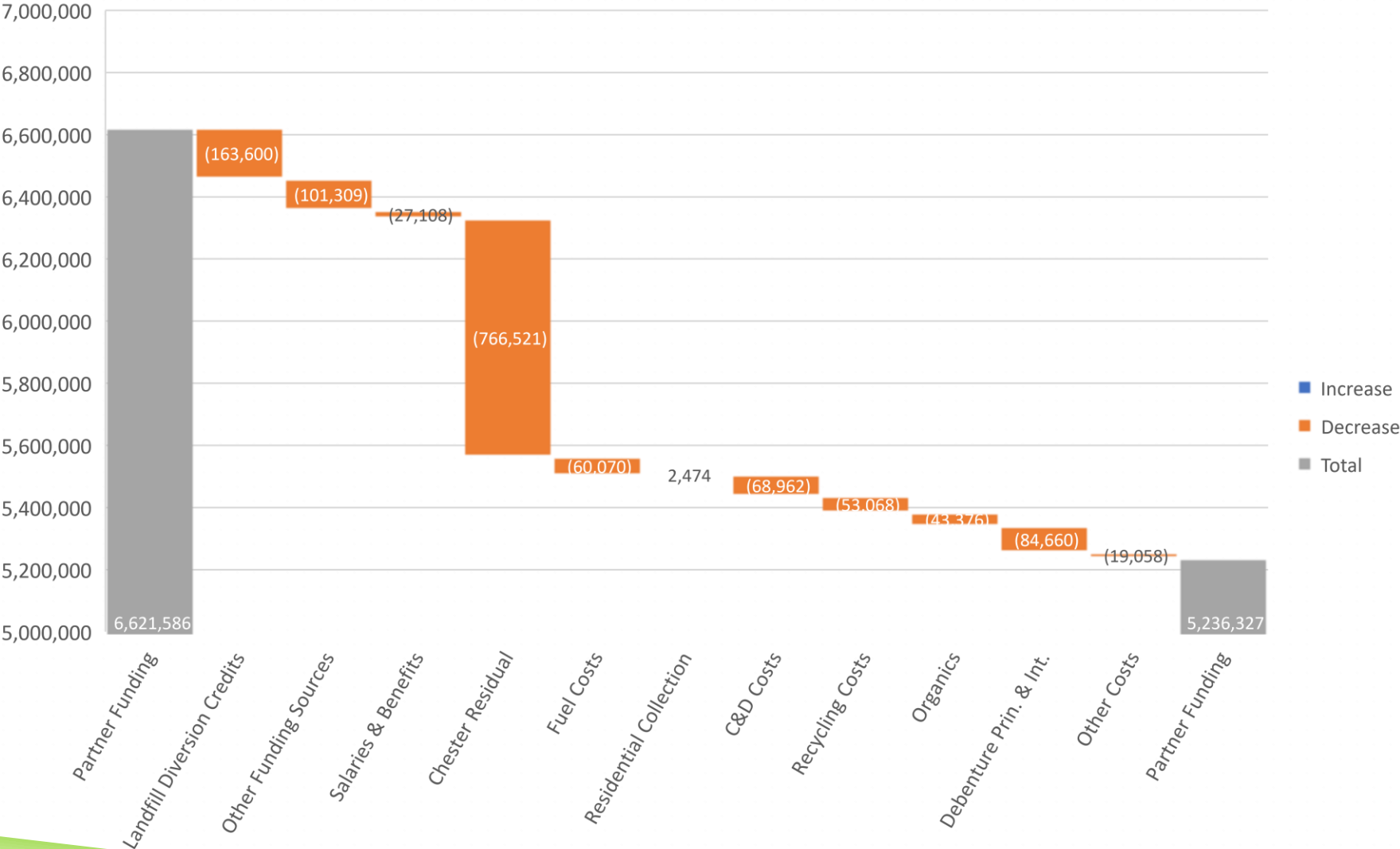
CONTRIBUTION SCHEDULE

Municipal Contributions by Quarter

2024-2025

	Q1	Q2	Q3	Q4	Total
73.40% Municipality of Kings	1,510,547	1,510,547	1,007,031	1,007,031	5,035,156
10.33% Town of Kentville	212,533	212,533	141,689	141,689	708,444
9.85% Town of Wolfville	202,741	202,741	135,161	135,161	675,804
3.08% Town of Berwick	63,341	63,341	42,227	42,227	211,137
2.03% Town of Middleton	41,816	41,816	27,877	27,877	139,387
1.31% Town of Annapolis Royal	26,891	26,891	17,928	17,928	89,638
	2,057,870	2,057,870	1,371,913	1,371,913	6,859,565

Change in Municipal Operations Partner Funding - Budget 2024 to Forecast 2024

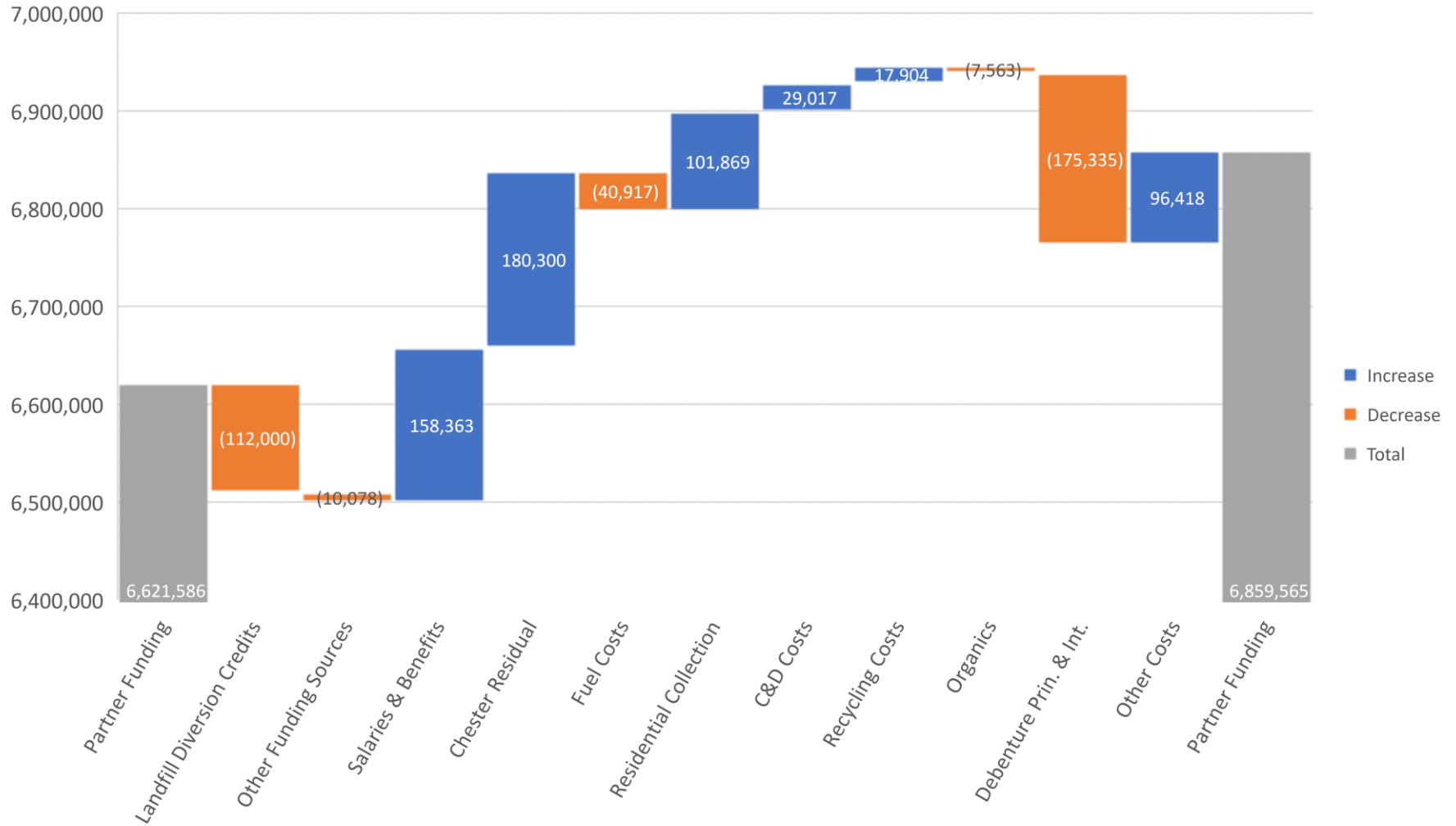


KEY FORECAST INFLUENCES

- \$766,000 – savings due to adjusted disposal fee, subject to change
- \$100,000 – higher than budgeted tipping fee revenue
- \$160,000 – in additional diversion credit funding
- \$120,000 - lower than budgeted fuel costs, both our fleet and on major contracts
- \$65,000 - reduced operating cost of Western Management Centre
- \$44,000 - reduced construction and demolition debris processing
- \$50,000 - lower than budgeted recycling processing



Change in Municipal Operations Partner Funding - Budget 2024 to Budget 2025




KEY BUDGET INFLUENCES

- ▶ Overall increase of 3.6%
- ▶ Overall FTE staff decrease of 0.1 positions.
- ▶ Employee Compensation \$158,000
 - ▶ 5.3 % Cost of living increase based on 12-month average NS CPI (Oct 22 – Sept 23)
 - ▶ Includes potential step increases
 - ▶ Majority of staff (64%) have worked fewer than 5 years

MAJOR CONTRACTS

► Major contracts ~ \$339,000 increase

- Landfill Disposal \$180,000, reduced tonnage, higher contract price
 - Residential Collection \$101,000 - annual increase and est. 500 new dwelling units
 - Recycling Processing \$18,000 - reduced tonnage, estimated 5% contract increase
 - Organics Processing - \$8,000 – reduced tonnage, annual contract increase
 - C&D Debris Processing \$29,000 - more diversion
 - Hazardous Waste Processing \$19,000 - increased volume
- 

CAPITAL BUDGET

▶ Three elements:


- ▶ Rolling Stock - regular replacement capital for equipment.
- ▶ Safety and Efficiency – improved performance.
- ▶ Building and Infrastructure - site capacity upgrades.




ROLLING STOCK

- ▶ Wheel loader \$375,000
 - ▶ Replaces 2013 loader
- ▶ One tonne diesel pick-up \$95,000
 - ▶ Needed to haul gooseneck trailer – transport recycling from EMC, litter cleanups, dumps etc.
- ▶ Forklift for WMC \$55,000
 - ▶ To load hazardous waste drums, electronics


SAFETY & EFFICIENCY

- ▶ Cardboard baler (2) @ \$110,000
 - ▶ To process & sell commercially generated cardboard
 - ▶ Estimated payback of 2-3 years
 - ▶ Wood Shredder \$600,000
 - ▶ To process lumber, yard waste, shingles for processing and potential sale
 - ▶ Increases volume permitted on site as per regulations
 - ▶ Excavator \$300,000
 - ▶ Needed to load wood shredder
 - ▶ Radios \$10,000
 - Improved communication, reduced operating costs
- 

BUILDINGS & INFRASTRUCTURE

- ▶ *Tipping floor replacement EMC \$200,000*
 - ▶ *Trying to complete this fiscal year with operating funds*
 - ▶ *Replacement doors EMC \$120,000*
 - ▶ *Trying to complete this fiscal year with operating funds*
 - ▶ HHW / Stewardship Center - Drop off EMC \$350,000
 - ▶ Current depot needs replacing & expansion
- 

BUILDINGS & INFRASTRUCTURE

- ▶ Engineering and design of EMC building \$200,000
 - ▶ For potential expansion in F2026
 - ▶ Roadway expansion EMC \$55,000
 - ▶ To improve traffic flow, separate small vehicles from commercial vehicles
 - ▶ Concrete pad for C&D yard EMC \$20,000
 - ▶ To improve C&D sorting
 - ▶ Expansion of yard to include metal storage EMC \$350,000
 - ▶ To allow for potential expansion of EMC tipping floor
- 

▶ Existing Capital Replacement Reserve

- ▶ Current value: \$2,646,142
- ▶ Budget includes a contribution of \$313,838 as per approved policy

▶ Existing Sale of Surplus Equipment Reserve

- ▶ Current value: \$317,323



TO: Town Council

SUBMITTED BY: CAO Jeff Lawrence

DATE: January 29th, 2024

SUBJECT: Appointment of Development Officers

ORIGIN

Planning services in the Town of Kentville are currently being delivered by contract with C + D Consulting. Those services do not currently include development officer services.

BACKGROUND

A recent staff vacancy has created an urgent need for the Town to appoint a Development Officer. Plans are in place for a staffing structure that will rectify this issue long term, however *immediate* action is required to maintain service delivery to folks requiring permits, zoning letters, location certificates, and other important components necessary for moving development projects forward in Kentville.

DISCUSSION

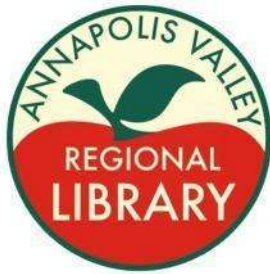
C + D Consulting is currently providing contracted services for planning, not including Development Officer services. Discussions with C + D indicate that the firm is able to assign 2 staff members to manage the required Development Officer functions in the short term while staff implement long-term solutions. Council can expect future reports and recommendations from Planning and Development as we roll out plans to expand the department and secure the right staff to fill necessary roles going forward.

BUDGET IMPLICATIONS

Not available at this time

RECOMMENDATION

That Town Council appoint Fuki Asai and Raleigh King from C + D Consulting as Acting Development Officers for the Town of Kentville, effective immediately.



Annapolis Valley Regional Library

P.O. Box 510 236 Commercial Street Berwick, NS B0P 1E0

Phone 1-866-922-0229

www.valleylibrary.ca email: administration@valleylibrary.ca

The Honourable Allan MacMaster
Minister of Communities, Culture, Tourism and Heritage
1741 Brunswick St., 3rd Floor
P.O. Box 456, STN Central
Halifax, NS B3J 2R5
Sent via email: MIN_CCTH@novascotia.ca

December 5, 2023

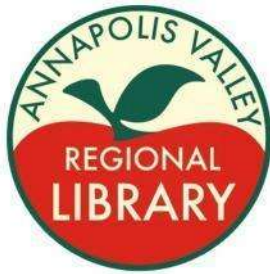
Dear Minister MacMaster,

We are writing to highlight the urgency of starting the funding review process as soon as possible and request the Ministry's support in ensuring continuation of the service that means so much to Nova Scotians.

AVRL is the busiest rural regional library system in Nova Scotia, serving 20% of the non-HRM population with 11 branches. And AVRL consistently demonstrates leadership in delivering sophisticated and modern library services. People are confident in coming back to public libraries and the feelings of community they find there, and it is our mission to continue to find ways to inspire and improve their quality of life with reliable service and informed resources. In 2022-23, circulation of materials and program attendance rebounded above 2019 levels, and we signed up a record-setting 5,252 new cardholders. 2023-24 is already even busier, with usage across all major indicators at 10+% increase over 2022-23.

Despite these successes, the limitations of previous funding formulas have created in very real negative outcomes resulting in staff reductions, including historically the lowest salaries for library workers in the Province. As of 2023, we are no longer able to recruit and retain staff to perform the core functions of the library. As a result, AVRL has already been forced to reduce programming and open hours to the public. Furthermore, the staff have recently unionized as NSUPE Local 23 and ratified their first collective agreement, during which they negotiated for modest wage increases of \$1 per hour, which brings the starting wage at AVRL to \$15.81.

For the 2020-2025 funding cycle, the Provincial contribution is \$1,919,600. Since 2011, AVRL's total funding from all sources has only increased by \$254,000 or 10.37%. As of the date of this letter, the Bank of Canada estimates that inflation from 2011-2023 has been in excess of 31%. Current funding has been declining in purchasing power for decades, and AVRL is now in a precarious financial situation, with operating costs outstripping the current financial envelope.



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To fund operational increases, AVRL has been gapping open positions and reallocating funds, but in order to maintain current levels of service through 2023 and 2024, it will need to draw on its reserve funds. AVRL estimates that approximately 60% of the reserve will be depleted as of March 31, 2025 and we will not be able to sustain current levels of service in 2025-26. Operational expenses are so lean that mitigating the shortfall would be the equivalent of closing 5 of the 11 library branches.

In order to communicate any changes to the municipalities with enough time to implement any changes for April 1, 2025, an agreement would need to be reached and communicated to the municipalities by March 31st, 2024. This represents a very short timeline and increases the urgency of beginning the process.

The funding Municipalities in the Annapolis Region continue to believe in the value of public libraries and to make investments in their facilities, with the Town of Wolfville committing in 2023 to construct a new building in the downtown core, with a projected construction date of 2027. Indeed, all of the funding Municipalities have demonstrated how much they value their library service, replacing or renovating all 11 branches within the last 25 years.

Further, Nova Scotia's public libraries continue to work cooperatively, delivering a higher level of service while being increasingly efficient with our funding; in April 2022 the Same Page initiative was launched between the 8 rural regions, increasing the size of the shared collection to over 1 million items. For reference, AVRL only owns about 130,000 physical items. This has increased the depth and breadth of the collection enormously, and AVRL patrons immediately became the heaviest users in the Province.

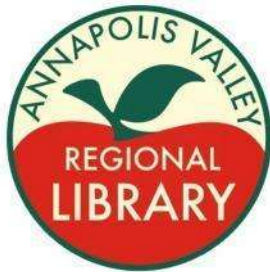
Libraries also continue to be places that can help to fulfill Provincial initiatives to improve quality of life in our communities. With 80 library locations across Nova Scotia, and locations open 7 days a week and staff who are trained in information literacy, libraries are an essential component in creating equitable, healthy communities. In 2023, this includes: continuing to distribute Rapid Antigen Test kits and menstrual supplies to mitigate the impacts of Period Poverty; promoting new initiatives related to health, education, tourism and culture; and allocating resources to increase education in treaty history and Mi'kmaw culture.

Public libraries are essential community hubs that bring people together and achieve enormous social and economic benefit. We respectfully ask for your help in bringing forward the value of public libraries in Nova Scotia and the case for enhanced financial investment to ensure that our communities thrive.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "Janet Ness".

Janet Ness, Board Chair



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CC: Mr. Keith Irving, MLA for Kings South

Mr. Carmen Kerr, MLA for Annapolis

Mr. John Lohr, MLA for Kings North

Mr. Chris Palmer, MLA for Kings West

Ms. Melissa Sheehy-Richard, MLA for Hants West

Stephanie Smith, Executive Director, Archives, Libraries and Museums, Dept of
Communities, Culture, Tourism and Heritage

Lynn Somers, Director, Nova Scotia Provincial Library, Dept of Communities,
Culture, Tourism and Heritage